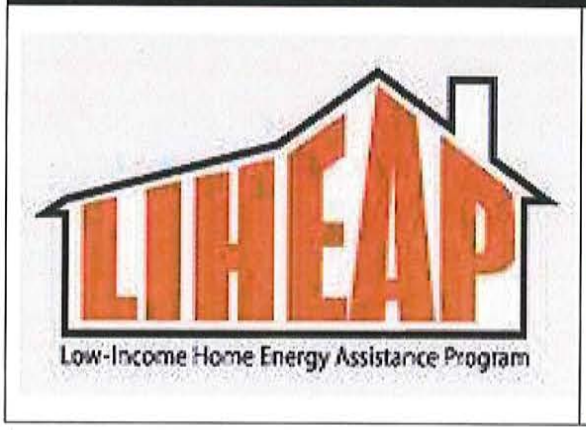
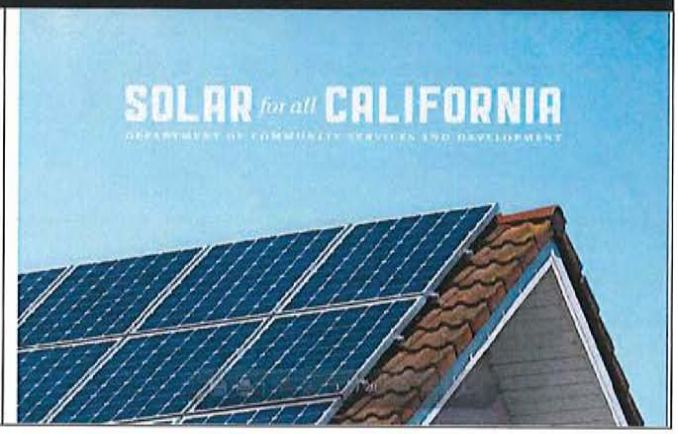
CALIFORNIA
LOW INCOME HOME ENERGY ASSISTANCE PROGRAM
STATE PLAN





Edmund G. Brown Jr.
GOVERNOR

Diana S. Dooley
SECRETARY

Linné K. Stout
DIRECTOR

LOW INCOME HOME ENERGY ASSISTANCE PROGRAM
Federal Fiscal Year 2016

State of California
Health and Human Services Agency
Department of Community Services and Development

Prepared for:
U.S. Department of Health and Human Services
Administration for Children and Families
Office of Community Services

DETAILED MODEL PLAN (LIHEAP)

Mandatory Grant Application SF-424

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES

August 1987, revised 05/92,02/95,03/96,12/98,11/01
OMB Clearance No.: 0970-0075
Expiration Date: 06/30/2017

LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP)
MODEL PLAN
SF - 424 - MANDATORY

* 1.a. Type of Submission:	* 1.b. Frequency:	* 1.c. Consolidated Application/Plan/Funding Request?	* 1.d. Version:
(•) Plan	(•) Annual	Explanation:	(•) Initial ( ) Resubmission ( ) Revision ( ) Update
		2. Date Received:	State Use Only:
		3. Applicant Identifier:	
		4a. Federal Entity Identifier:	5. Date Received By State:
		4b. Federal Award Identifier:	6. State Application Identifier:

7. APPLICANT INFORMATION

* a. Legal Name: State of California			
* b. Employer/Taxpayer Identification Number (EIN/TIN): 68-0283471		* c. Organizational DUNS: 929578268	
* d. Address:			
* Street 1:	2389 GATEWAY OAKS DR., STE. 100	Street 2:	
* City:	SACRAMENTO	County:	
* State:	CA	Province:	
* Country:	United States	* Zip / Postal Code:	95833 -
e. Organizational Unit:			
Department Name: Department of Community Services and Development		Division Name: Energy and Environmental Services	

f. Name and contact information of person to be contacted on matters involving this application:

Prefix:	* First Name: Debra	Middle Name:	* Last Name: Brown
Suffix:	Title: LIHEAP Manager	Organizational Affiliation: N/A	
* Telephone Number: 916-576-7154	Fax Number 916-263-1406	* Email: debra.brown@csd.ca.gov	

* 8a. TYPE OF APPLICANT:
A: State Government

b. Additional Description:

* 9. Name of Federal Agency:

	Catalog of Federal Domestic Assistance Number:	CFDA Title:
10. CFDA Numbers and Titles	93568	Low-Income Home Energy Assistance

11. Descriptive Title of Applicant's Project
LIHEAP provides assistance to eligible low-income households to manage and meet their immediate home heating and/or cooling needs.

12. Areas Affected by Funding:
State of California

13. CONGRESSIONAL DISTRICTS OF:

* a. Applicant	b. Program/Project:
5	CA

Attach an additional list of Program/Project Congressional Districts if needed.

14. FUNDING PERIOD:		15. ESTIMATED FUNDING:	
a. Start Date: 10/01/2015	b. End Date: 09/30/2016	* a. Federal ($): $0	b. Match ($): $0

*** 16. IS SUBMISSION SUBJECT TO REVIEW BY STATE UNDER EXECUTIVE ORDER 12372 PROCESS?**

a. This submission was made available to the State under the Executive Order 12372

Process for Review on :

b. Program is subject to E.O. 12372 but has not been selected by State for review.

c. Program is not covered by E.O. 12372.

*** 17. Is The Applicant Delinquent On Any Federal Debt?**

○ YES
◉ NO

Explanation:

18. By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

****I Agree** ☑

**** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.**

18a. Typed or Printed Name and Title of Authorized Certifying Official	18c. Telephone (area code, number and extension)
	18d. Email Address
18b. Signature of Authorized Certifying Official	18e. Date Report Submitted (Month, Day, Year)

Attach supporting documents as specified in agency instructions.

Section 1 - Program Components

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
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Department of Health and Human Services
Administration for Children and Families
Office of Community Services
Washington, DC 20447

August 1987, revised 05/92, 02/95, 03/96, 12/98, 11/01
OMB Approval No. 0970-0075
Expiration Date: 02/28/2005

THE PAPERWORK REDUCTION ACT OF 1995 (Pub. L. 104-13)Use of this model plan is optional. However, the information requested is required in order to receive a Low Income Home Energy Assistance Program (LIHEAP) grant in years in which the grantee is not permitted to file an abbreviated plan. Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, gathering and maintaining the data needed, and reviewing the collection of information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Section 1 Program Components

Program Components, 2605(a), 2605(b)(1) - Assurance 1, 2605(c)(1)(C)

1.1 Check which components you will operate under the LIHEAP program. (Note: You must provide information for each component designated here as requested elsewhere in this plan.)		Dates of Operation	
		Start Date	End Date
☑	Heating assistance	01/01/2016	01/31/2017
☑	Cooling assistance	01/01/2016	01/31/2017
☑	Crisis assistance	01/01/2016	01/31/2017
☑	Weatherization assistance	01/01/2016	01/31/2017

Provide further explanation for the dates of operation, if necessary

* CSD maintains a year round program from 1/1/2016 through 1/31/2017

Estimated Funding Allocation, 2604(C), 2605(k)(1), 2605(b)(9), 2605(b)(16) - Assurances 9 and 16

1.2 Estimate what amount of available LIHEAP funds will be used for each component that you will operate: The total of all percentages must add up to 100%.	Percentage (%)
Heating assistance	14.20%
Cooling assistance	14.20%
Crisis assistance	31.60%
Weatherization assistance	15.00%
Carryover to the following federal fiscal year	10.00%
Administrative and planning costs	10.00%
Services to reduce home energy needs including needs assessment (Assurance 16)	5.00%
Used to develop and implement leveraging activities	0.00%
TOTAL	100.00%

Alternate Use of Crisis Assistance Funds, 2605(c)(1)(C)

1.3 The funds reserved for winter crisis assistance that have not been expended by March 15 will be reprogrammed to:

☐	Heating assistance	☐	Cooling assistance
☐	Weatherization assistance	☑	Other (specify:) CSD maintains a year round program from 1/1/2016 through 1/31/2017

Categorical Eligibility, 2605(b)(2)(A) - Assurance 2, 2605(c)(1)(A), 2605(b)(8A) - Assurance 8

1.4 Do you consider households categorically eligible if one household member receives one of the following categories of benefits in the left column below? ○ Yes ◉ No

If you answered "Yes" to question 1.4, you must complete the table below and answer questions 1.5 and 1.6.

	Heating	Cooling	Crisis	Weatherization
TANF	○ Yes ○ No	○ Yes ○ No	○ Yes ○ No	○ Yes ○ No
SSI	○ Yes ○ No	○ Yes ○ No	○ Yes ○ No	○ Yes ○ No
SNAP	○ Yes ○ No	○ Yes ○ No	○ Yes ○ No	○ Yes ○ No
Means-tested Veterans Programs	○ Yes ○ No	○ Yes ○ No	○ Yes ○ No	○ Yes ○ No

	Program Name	Heating	Cooling	Crisis	Weatherization
Other(Specify) 1		○ Yes ○ No	○ Yes ○ No	○ Yes ○ No	○ Yes ○ No

1.5 Do you automatically enroll households without a direct annual application? ○ Yes ◉ No

If Yes, explain:

1.6 How do you ensure there is no difference in the treatment of categorically eligible households from those not receiving other public assistance when determining eligibility and benefit amounts?

SNAP Nominal Payments

1.7a Do you allocate LIHEAP funds toward a nominal payment for SNAP households? ○ Yes ◉ No

If you answered "Yes" to question 1.7a, you must provide a response to questions 1.7b, 1.7c, and 1.7d.

1.7b Amount of Nominal Assistance: $0

1.7c Frequency of Assistance

☐	Once Per Year
☐	Once every five years
☐	Other - Describe:

1.7d How do you confirm that the household receiving a nominal payment has an energy cost or need?

Determination of Eligibility - Countable Income

1.8. In determining a household's income eligibility for LIHEAP, do you use gross income or net income ?

☑	Gross Income
☐	Net Income

1.9. Select all the applicable forms of countable income used to determine a household's income eligibility for LIHEAP

☑	Wages
☑	Self - Employment Income
☐	Contract Income
☐	Payments from mortgage or Sales Contracts
☑	Unemployment insurance
☑	Strike Pay

☑	Social Security Administration (SSA) benefits
	☐ Including MediCare deduction ☑ Excluding MediCare deduction
☑	Supplemental Security Income (SSI)
☑	Retirement / pension benefits
☑	General Assistance benefits
☑	Temporary Assistance for Needy Families (TANF) benefits
☐	Supplemental Nutrition Assistance Program (SNAP) benefits
☐	Women, Infants, and Children Supplemental Nutrition Program (WIC) benefits
☐	Loans that need to be repaid
☐	Cash gifts
☐	Savings account balance
☐	One-time lump-sum payments, such as rebates/credits, winnings from lotteries, refund deposits, etc.
☑	Jury duty compensation
☑	Rental income
☐	Income from employment through Workforce Investment Act (WIA)
☐	Income from work study programs
☑	Alimony
☑	Child support
☑	Interest, dividends, or royalties
☑	Commissions
☐	Legal settlements
☑	Insurance payments made directly to the insured
☐	Insurance payments made specifically for the repayment of a bill, debt, or estimate
☑	Veterans Administration (VA) benefits
☐	Earned income of a child under the age of 18
☐	Balance of retirement, pension, or annuity accounts where funds cannot be withdrawn without a penalty.
☐	Income tax refunds
☐	Stipends from senior companion programs, such as VISTA

☐	**Funds received by household for the care of a foster child**
☐	**Ameri-Corp Program payments for living allowances, earnings, and in-kind aid**
☐	**Reimbursements (for mileage, gas, lodging, meals, etc.)**
☑	**Other** TANF

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

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Section 2 - Heating Assistance

Eligibility, 2605(b)(2) - Assurance 2

2.1 Designate the income eligibility threshold used for the heating componenet:

Add	Household size	Eligibility Guideline	Eligibility Threshold
1	All Household Sizes	State Median Income	60.00%

2.2 Do you have additional eligibility requirements for HEATING ASSITANCE?	○ Yes ◉ No
2.3 Check the appropriate boxes below and describe the policies for each.	
Do you require an Assets test ?	○ Yes ◉ No
Do you have additional/differing eligibility policies for:	
Renters?	○ Yes ◉ No
Renters Living in subsidized housing ?	○ Yes ◉ No
Renters with utilities included in the rent ?	○ Yes ◉ No
Do you give priority in eligibility to:	
Elderly?	◉ Yes ○ No
Disabled?	◉ Yes ○ No
Young children?	◉ Yes ○ No
Households with high energy burdens ?	◉ Yes ○ No
Other? See explanation below	◉ Yes ○ No

Explanations of policies for each "yes" checked above:

Each Local Service Provider is required to submit a priority plan as part of their contract. The priority plan identifies four categories: Poverty Level, Energy Burden, Vulnerable Population and Agency-Defined. Agency-Defined category is optional. The following five priority categories will serve as the basis for Agency-Defined priorities (examples provided are not all inclusive):

Medically Needy - *Examples*: Needing special medical equipment, high medical expenses relative to income

Frail Elderly - *Examples*: Homebound, 80+, living alone, lack of access to services, poor health

Severe Financial Hardship - *Examples*: Recent loss of income, receiving Unemployment Insurance Benefits (UIB), high risk of homelessness, income eligible for LIHEAP but ineligible for other need-based benefits

Hard to Reach- *Examples*: Geographically/culturally isolated, language barrier(s), significantly underrepresented in clients served vs. local demographics

Priority Offsets - *Examples*: Client receiving other utility, rent or mortgage subsidies; client served in previous year.

NOTE: No application for benefits may be rejected based on previous receipt of benefits, and an alternate-year policy must allow for continuing prioritization of services to the most vulnerable clients. An "alternate-year policy" may be one of the elements in a priority system for determining eligibility for LIHEAP benefits and assistance (see the "Priority Offsets" category above). However, an alternate year policy will not be used to arbitrarily deny benefits or assistance to clients who are genuinely needy, particularly if the result is to grant benefits or assistance to a less needy applicant.

Determination of Benefits 2605(b)(5) - Assurance 5, 2605(c)(1)(B)

2.4 Describe how you prioritize the provision of heating assistance tovulnerable populations,e.g., benefit amounts, early application periods, etc.

Based on an assessment of each client, Local Service Providers assign points for each of the first three categories and the Agency-Defined categories, if the Local Service Provider elects to use this additional fourth category. Clients with the highest resulting number of points are served first, though priority may be given to households with life-threatening emergencies.

2.5 Check the variables you use to determine your benefit levels. (Check all that apply):

- [x] **Income**
- [x] **Family (household) size**
- [x] **Home energy cost or need:**
  - [ ] **Fuel type**
  - [x] **Climate/region**
  - [ ] **Individual bill**
  - [ ] **Dwelling type**
  - [ ] **Energy burden (% of income spent on home energy)**
  - [x] **Energy need**
  - [x] **Other - Describe:**

CSD conducts an "Individual Utility Company Rate Survey" each year. In the survey, utility companies report their residential rates, by county, for gas and electricity. CSD uses this information to establish average utility costs for each county. These costs are factored into the heating and cooling benefit formula to determine LIHEAP benefit levels.

Benefit Levels, 2605(b)(5) - Assurance 5, 2605(c)(1)(B)

2.6 Describe estimated benefit levels for FY 2016:

Minimum Benefit	$121	**Maximum Benefit**	$1,000

2.7 Do you provide in-kind (e.g., blankets, space heaters) and/or other forms of benefits? ○ Yes ◉ No

If yes, describe.

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

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Section 3 - Cooling Assistance

Eligibility, 2605(c)(1)(A), 2605 (b)(2) - Assurance 2

3.1 Designate The income eligibility threshold used for the Cooling componenet:

Add	Household size	Eligibility Guideline	Eligibility Threshold
1	All Household Sizes	State Median Income	60.00%

3.2 Do you have additional eligibility requirements for COOLING ASSITANCE?	○ Yes ◉ No
3.3 Check the appropriate boxes below and describe the policies for each.	
Do you require an Assets test ?	○ Yes ◉ No
Do you have additional/differing eligibility policies for:	
Renters?	○ Yes ◉ No
Renters Living in subsidized housing ?	○ Yes ◉ No
Renters with utilities included in the rent ?	○ Yes ◉ No
Do you give priority in eligibility to:	
Elderly?	◉ Yes ○ No
Disabled?	◉ Yes ○ No
Young children?	◉ Yes ○ No
Households with high energy burdens ?	◉ Yes ○ No
Other? See explanations below	◉ Yes ○ No

Explanations of policies for each "yes" checked above:

Each Local Service Provider is required to submit a priority plan as part of their contract. The priority plan identifies four categories: Poverty Level, Energy Burden, Vulnerable Population and Agency-Defined. Agency-Defined category is optional. The following five priority categories will serve as the basis for Agency-Defined priorities (examples provided are not all inclusive):

Medically Needy - *Examples*: Needing special medical equipment, high medical expenses relative to income

Frail Elderly - *Examples*: Homebound, 80+, living alone, lack of access to services, poor health

Severe Financial Hardship - *Examples*: Recent loss of income, receiving Unemployment Insurance Benefits (UIB), high risk of homelessness, income eligible for LIHEAP but ineligible for other need-based benefits

Hard to Reach- *Examples*: Geographically/culturally isolated, language barrier(s), significantly underrepresented in clients served vs. local demographics

Priority Offsets - *Examples*: Client receiving other utility, rent or mortgage subsidies; client served in previous year.

3.4 Describe how you prioritize the provision of cooling assistance tovulnerable populations,e.g., benefit amounts, early application periods, etc.

Based on an assessment of each client, Local Service Providers assign points for each of the first three categories and the Agency-Defined categories, if the Local Service Provider elects to use this additional fourth category. Clients with the highest resulting number of points are served first, though priority may be given to households with life-threatening emergencies.

Determination of Benefits 2605(b)(5) - Assurance 5, 2605(c)(1)(B)

3.5 Check the variables you use to determine your benefit levels. (Check all that apply):

- [x] **Income**
- [x] **Family (household) size**
- [x] **Home energy cost or need:**
  - [ ] **Fuel type**
  - [x] **Climate/region**
  - [ ] **Individual bill**
  - [ ] **Dwelling type**
  - [ ] **Energy burden (% of income spent on home energy)**
  - [x] **Energy need**
  - [x] **Other - Describe:**

CSD conducts an "Individual Utility Company Rate Survey" each year. In the survey, utility companies report their residential rates, by county, for gas and electricity. CSD uses this information to establish average utility costs for each county. These costs are factored into the heating and cooling benefit formula to determine LIHEAP benefit levels.

Benefit Levels, 2605(b)(5) - Assurance 5, 2605(c)(1)(B)

3.6 Describe estimated benefit levels for FY 2016:

Minimum Benefit	$121	**Maximum Benefit**	$1,000

3.7 Do you provide in-kind (e.g., fans, air conditioners) and/or other forms of benefits? ○ Yes ◉ No

If yes, describe.

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

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Section 4: CRISIS ASSISTANCE

Eligibility - 2604(c), 2605(c)(1)(A)

4.1 Designate the income eligibility threshold used for the crisis component

Add	Household size	Eligibility Guideline	Eligibility Threshold
1	All Household Sizes	State Median Income	60.00%

4.2 Provide your LIHEAP program's definition for determining a crisis.

CSD uses the federal definition of a crisis (Low Income Energy Assistance Act § 2603 (3)): "weather-related and supply shortage emergencies and other household energy related emergencies." Crisis funds may only be used in accordance with the federal definition, including:

1. A natural disaster (whether or not officially declared),
2. A significant home energy supply shortage or disruption,
3. An official declaration of a significant increase in:
4. - Home energy costs,
5. - Home energy disconnections,
6. - Enrollment in public benefit programs, or
7. - Unemployment and layoffs, or
8. An official emergency declaration by the Secretary of Health and Human Services,

In those situations where there is not an official federal, state, or local declaration of emergency, an emergency may be deemed to exist by CSD where there is imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services.

4.3 What constitutes a life-threatening crisis?

Life-Threatening: Applicant is without heating, cooling or utility service during extreme weather conditions, as determined by the local administrative agency. This may include energy-related situations that pose a threat to the heath and safety of one or more members of the household.

Crisis Requirement, 2604(c)

4.4 Within how many hours do you provide an intervention that will resolve the energy crisis for eligible households? 48**Hours**

4.5 Within how many hours do you provide an intervention that will resolve the energy crisis for eligible households in life-threatening situations? 18**Hours**

Crisis Eligibility, 2605(c)(1)(A)

4.6 Do you have additional eligibility requirements for CRISIS ASSISTANCE?	(•) Yes ( ) No
4.7 Check the appropriate boxes below and describe the policies for each	
Do you require an Assets test ?	( ) Yes (•) No
Do you give priority in eligibility to :	
Elderly?	(•) Yes ( ) No
Disabled?	(•) Yes ( ) No
Young Children?	(•) Yes ( ) No
Households with high energy burdens?	(•) Yes ( ) No
Other? See explanation below	(•) Yes ( ) No
In Order to receive crisis assistance:	
Must the household have received a shut-off notice or have a near empty tank?	(•) Yes ( ) No
Must the household have been shut off or have an empty tank?	( ) Yes (•) No
Must the household have exhausted their regular heating benefit?	( ) Yes (•) No

Must renters with heating costs included in their rent have received an eviction notice ?	○ Yes ◉ No
Must heating/cooling be medically necessary?	○ Yes ◉ No
Must the household have non-working heating or cooling equipment?	○ Yes ◉ No
Other? Proof of utility shutoff notice; Â Proof of energy termination; Â Insufficient funds to establish a new energy account; Â Insufficient funds to pay a delinquent utility bill; Â Insufficient funds to pay for essential firewood, oil or propane; Â Insufficient funds to pay the cost of repairing or replacing an eligible heating or cooling appliance or for a new heating or cooling appliance; and/or Â Applicant has a medical condition that requires temperature or climate control and the heating/cooling appliance is considered hazardous, nonexistent, or inoperable	◉ Yes ○ No

Do you have additional / differing eligibility policies for:

Renters?	○ Yes ◉ No
Renters living in subsidized housing?	○ Yes ◉ No
Renters with utilities included in the rent?	○ Yes ◉ No

Explanations of policies for each "yes" checked above:

Each Local Service Provider is required to submit a priority plan as an attachment to their contract. The priority plans are in narrative format and identify multiple categories used to prioritize services, such as: Poverty Level, Energy Burden, Vulnerable Population, New Applicants, Health & Safety Issues, Proximity to other eligible dwellings and Agency-Defined (Agency-Defined categories are described above). Based on an assessment of each applicant, some Local Service Providers prioritize by assigning points for each of these categories and serving those with the highest point value first, though priority may be given to households with life-threatening emergencies.

Determination of Benefits

4.8 How do you handle crisis situations?

☑ **Separate component**

☑ **Fast Track**

☑ **Other - Describe:**

The Crisis Program is limited to four activities:

1. Fast Track (electric and gas) utility payments
2. Energy Crisis Intervention Program Wood, propane and oil (ECIP WPO) payments
3. Heating and cooling services (HCS)
4. Severe Weather Energy Assistance and Transportation Services (SWEATS)

Fast Track benefits are determined by the Local Service Providers, but payments to the utility companies are processed, centrally, by CSD, where ECIP WPO assistance, HCS and SWEATS benefits are provided locally. Local Service Providers have the ability to increase the Fast Track base amount by adding a supplemental benefit. The total benefit amount cannot exceed the total amount of the entire utility bills (to include energy charges, reconnection fees, and other assessed utility fees/surcharges to alleviate the crisis situation) or $1,000, whichever is less.

ECIP WPO benefits are determined at the local level based on clients inability to pay for essential firewood, oil or propane. The amount of the benefit is based on the cost to resolve the crisis.

HCS services provide payment for energy-related repairs or replacement of non-functioning heating, cooling appliances and water-heating appliances. The benefit amount is based on the cost of the repair or replacement, up to the maximum amount as determined annually.

SWEATS services provide payment to address energy-related emergency needs of low-income households affected by a natural disaster. Typical services include additional utility assistance, temporary housing services, transportation services and temporary heating/cooling devices. The amount of the benefit may vary depending on the benefit offered.

4.9 If you have a separate component, how do you determine crisis assistance benefits?

☑ **Amount to resolve the crisis.**

☑ **Other - Describe:**

Fast Track benefits are determined by the Local Service Providers, but payments to the utility companies are processed, centrally, by CSD, where ECIP WPO assistance, HCS and SWEATS benefits are provided locally. Local Service Providers have the ability to increase the Fast Track base amount by adding a supplemental benefit. The total benefit amount cannot exceed the total amount of the entire utility bills (to include energy charges, reconnection fees, and other assessed utility fees/surcharges to alleviate the crisis situation) or $1,000, whichever is less.

Crisis Requirements, 2604(c)

4.10 Do you accept applications for energy crisis assistance at sites that are geographically accessible to all households in the area to be served?

◉ Yes ○ No **Explain.**

Large service territories typically have satellite offices or other non-profit agencies which accept applications.

4.11 Do you provide individuals who are physically disabled the means to:

Submit applications for crisis benefits without leaving their homes?

◉ Yes ○ No **If No, explain.**

Travel to the sites at which applications for crisis assistance are accepted?

◉ Yes ○ No **If No, explain.**

If you answered "No" to both options in question 4.11, please explain alternative means of intake to those who are homebound or physically disabled?

Benefit Levels, 2605(c)(1)(B)

4.12 Indicate the maximum benefit for each type of crisis assistance offered.

Winter Crisis	**$0 maximum benefit**
Summer Crisis	**$0 maximum benefit**
Year-round Crisis	**$1,000 maximum benefit**

4.13 Do you provide in-kind (e.g. blankets, space heaters, fans) and/or other forms of benefits?

◉ Yes ○ No **If yes, Describe**

The SWEATS program provides these benefits given a specific emergency.

4.14 Do you provide for equipment repair or replacement using crisis funds?

◉ Yes ○ No

If you answered "Yes" to question 4.14, you must complete question 4.15.

4.15 Check appropriate boxes below to indicate type(s) of assistance provided.

	Winter Crisis	Summer Crisis	Year-round Crisis
Heating system repair	☐	☐	☑
Heating system replacement	☐	☐	☑
Cooling system repair	☐	☐	☑
Cooling system replacement	☐	☐	☑
Wood stove purchase	☐	☐	☐
Pellet stove purchase	☐	☐	☐
Solar panel(s)	☐	☐	☐
Utility poles / gas line hook-ups	☐	☐	☐
Other (Specify): Water Heater	☐	☐	☑

4.16 Do any of the utility vendors you work with enforce a moratorium on shut offs?

○ Yes ◉ No

If you responded "Yes" to question 4.16, you must respond to question 4.17.

4.17 Describe the terms of the moratorium and any special dispensation received by LIHEAP clients during or after the moratorium period.

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 5 - WEATHERIZATION ASSISTANCE

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Section 5: WEATHERIZATION ASSISTANCE

Eligibility, 2605(c)(1)(A), 2605(b)(2) - Assurance 2

5.1 Designate the income eligibility threshold used for the Weatherization component

Add	Household Size	Eligibility Guideline	Eligibility Threshold
1	All Household Sizes	State Median Income	60.00%

5.2 Do you enter into an interagency agreement to have another government agency administer a WEATHERIZATION component? ○ Yes ◉ No

5.3 If yes, name the agency.

5.4 Is there a separate monitoring protocol for weatherization? ◉ Yes ○ No

WEATHERIZATION - Types of Rules

5.5 Under what rules do you administer LIHEAP weatherization? (Check only one.)

☐ **Entirely under LIHEAP (not DOE) rules**

☐ **Entirely under DOE WAP (not LIHEAP) rules**

☑ **Mostly under LIHEAP rules with the following DOE WAP rule(s) where LIHEAP and WAP rules differ (Check all that apply):**

- ☐ **Income Threshold**
- ☑ **Weatherization of entire multi-family housing structure is permitted if at least 66% of units (50% in 2- & 4-unit buildings) are eligible units or will become eligible within 180 days**
- ☐ **Weatherize shelters temporarily housing primarily low income persons (excluding nursing homes, prisons, and similar institutional care facilities).**
- ☐ **Other - Describe:**

☐ **Mostly under DOE WAP rules, with the following LIHEAP rule(s) where LIHEAP and WAP rules differ (Check all that apply.)**

- ☐ **Income Threshold**
- ☐ **Weatherization not subject to DOE WAP maximum statewide average cost per dwelling unit.**
- ☐ **Weatherization measures are not subject to DOE Savings to Investment Ration (SIR) standards.**
- ☐ **Other - Describe:**

Eligibility, 2605(b)(5) - Assurance 5

5.6 Do you require an assets test?	○ Yes ◉ No
5.7 Do you have additional/differing eligibility policies for :	
Renters	○ Yes ◉ No
Renters living in subsidized housing?	○ Yes ◉ No
5.8 Do you give priority in eligibility to:	
Elderly?	◉ Yes ○ No
Disabled?	◉ Yes ○ No
Young Children?	◉ Yes ○ No
House holds with high energy burdens?	◉ Yes ○ No
Other? See explanation below	◉ Yes ○ No

If you selected "Yes" for any of the options in questions 5.6, 5.7, or 5.8, you must provide further explanation of these policies in the text field below.

Each Local Service Provider is required to submit a priority plan as an attachment to their contract. The priority plans are in narrative format and identify multiple categories used to prioritize services, such as: Poverty Level, Energy Burden, Vulnerable Population, New Applicants, Health & Safety Issues, Proximity to other eligible dwellings and Agency-Defined (Agency-Defined categories are described above). Based on an assessment of each applicant, some Local Service Providers prioritize by assigning points for each of these categories and serving those with the highest point value first, though priority may be given to households with life-threatening emergencies.

Benefit Levels

5.9 Do you have a maximum LIHEAP weatherization benefit/expenditure per household? (•) Yes ( ) No

5.10 If yes, what is the maximum? $7,105

Types of Assitance, 2605(c)(1), (B) & (D)

5.11 What LIHEAP weatherization measures do you provide ? (Check all categories that apply.)

☑ Weatherization needs assessments/audits	☐ Energy related roof repair
☑ Caulking and insulation	☑ Major appliance Repairs
☑ Storm windows	☑ Major appliance replacement
☑ Furnace/heating system modifications/ repairs	☑ Windows/sliding glass doors
☑ Furnace replacement	☑ Doors
☑ Cooling system modifications/ repairs	☑ Water Heater
☑ Water conservation measures	☑ Cooling system replacement
☑ Compact florescent light bulbs	☑ Other - Describe: Please see attachment

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Question 5.11 –

Other – Describe:

☐ Dwelling Assessment
☐ General heat, waste and safety assessment
- o Combustion appliances safety check
- o Blower door test
- o Duct leakage test

☐ Post weatherization inspections
☐ Health or safety hazard repair/replacement
- o Carbon monoxide alarm
- o Smoke alarm
- o Electric or Gas cooking appliance repair/replacement
- o Electric or Gas water heater repair/replacement

☐ Attic/floor foundation venting
☐ Ceiling fans
☐ Electric water heater timer
☐ Cover plate gaskets
☐ Minor envelope repair
☐ Hot water flow restrictors: low-flow showerheads and facet restrictors
☐ Window replacement/glass repair/window repair
☐ Sliding glass door repair/replacement
☐ Duct and register repair/replacement
☐ Lead Safe Weatherization
☐ Exterior pipe wrap
☐ Kitchen exhaust installation repair and replacement
☐ Thermostat, programmable
☐ Vent cover, interior
☐ Shade screens
☐ Shutters
☐ Tinted window film
☐ Electric base load measures
- o Refrigerator replacement
- o Electric water heater repair/replacement
- o Microwave oven
- o Compact fluorescent lamps
- o Evaporative cooler installation
- o Window/wall air conditioner repair and replacement

☐ Filter Replacement: A/C and Furnace
☐ Floor Foundation Ventilation

- ☐ Mechanical Ventilation
- ☐ Limited Home Repair
- ☐ Water Heater Blanket
- ☐ Water Heater Pipe Wrap
- ☐ Weatherstripping
- ☐ LED replacement bulbs
- ☐ LED Nightlights
- ☐ Occupancy Sensors
- ☐ Power Strips
- ☐ Fluorescent Torchiere Lamp Replacement

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Section 6: Outreach, 2605(b)(3) - Assurance 3, 2605(c)(3)(A)

6.1 Select all outreach activities that you conduct that are designed to assure that eligible households are made aware of all LIHEAP assistance available:

- [x] **Place posters/flyers in local and county social service offices, offices of aging, Social Security offices, VA, etc.**
- [x] **Publish articles in local newspapers or broadcast media announcements.**
- [x] **Include inserts in energy vendor billings to inform individuals of the availability of all types of LIHEAP assistance.**
- [x] **Mass mailing(s) to prior-year LIHEAP recipients.**
- [x] **Inform low income applicants of the availability of all types of LIHEAP assistance at application intake for other low-income programs.**
- [x] **Execute interagency agreements with other low-income program offices to perform outreach to target groups.**
- [x] **Other (specify):**

  - Partnerships with utility companies
  - Outreach to: legislative offices, community organizations, and attendance at community events
  - Referrals to CSD's programs from child care centers
  - Pamphlets
  - Toll-free phone line
  - CSD's website
  - Contractors' websites
  - Special events
  - Canvass neighborhoods and go door to door
  - Distributes flyers at schools

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

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Section 7: Coordination, 2605(b)(4) - Assurance 4

7.1 Describe how you will ensure that the LIHEAP program is coordinated with other programs available to low-income households (TANF, SSI, WAP, etc.).

☐	**Joint application for multiple programs**
☑	**Intake referrals to/from other programs**
☑	**One - stop intake centers**
☑	**Other - Describe:**

CSD and Local Service Providers coordinate activities with similar and related programs administered by the federal, state, and the public and private sector, particularly low-income, energy conservation programs. CSD is working with the California Public Utilities Commission (CPUC) and the state's investor owned utility companies to develop strategies to better leverage and coordinate our mutual resources to benefit low-income households in the state.

Local Service Providers refer potentially eligible applicants, including heating and cooling, and crisis applicants, to the weatherization program, California Alternate Rate for Energy (CARE), Reduced Rate Programs (RRP), and/or to other energy or conservation programs. This referral is accomplished through interagency agreements, communications with pertinent agencies, one-stop centers, utility companies, and public/private partnerships. Local Service Providers provide assistance in coordinating the payment of client's energy/utility bill with the appropriate energy vendor or utility company.

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

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Section 8: Agency Designation, 2605(b)(6) - Assurance 6 (Required for state grantees and the Commonwealth of Puerto Rico)

8.1 How would you categorize the primary responsibility of your State agency?

☑	**Administration Agency**
☐	**Commerce Agency**
☐	**Community Services Agency**
☐	**Energy / Environment Agency**
☐	**Housing Agency**
☐	**Welfare Agency**
☐	**Other - Describe:**

Alternate Outreach and Intake, 2605(b)(15) - Assurance 15

If you selected "Welfare Agency" in question 8.1, you must complete questions 8.2, 8.3, and 8.4, as applicable.

8.2 How do you provide alternate outreach and intake for HEATING ASSISTANCE?

N/A

8.3 How do you provide alternate outreach and intake for COOLING ASSISTANCE?

N/A

8.4 How do you provide alternate outreach and intake for CRISIS ASSISTANCE?

N/A

8.5 LIHEAP Component Administration.	**Heating**	**Cooling**	**Crisis**	**Weatherization**
8.5a Who determines client eligibility?	Community Action Agencies	Community Action Agencies	Community Action Agencies	Community Action Agencies
8.5b Who processes benefit payments to gas and electric vendors?	State Administration Agency	State Administration Agency	State Administration Agency	
8.5c who processes benefit payments to bulk fuel vendors?	Community Action Agencies	Community Action Agencies	Community Action Agencies	
8.5d Who performs installation of weatherization measures?				Community Action Agencies

If any of your LIHEAP components are not centrally-administered by a state agency, you must complete questions 8.6, 8.7, 8.8, and, if applicable, 8.9.

8.6 What is your process for selecting local administering agencies?

In accordance with California Government Code section 16367.5, LIHEAP Local Service Providers (LSP) were grandfathered in as the designated provider for their respective service territory. The LSP network is comprised of more than 40 Local Service Providers (LSPs), which include private, non-profit and local government service providers. These LSPs have strong ties to their local communities and have many years of experience providing public assistance programs to the low-income customer in their respective service territory.

8.7 How many local administering agencies do you use? 42

8.8 Have you changed any local administering agencies in the last year?

- (•) Yes
- ( ) No

8.9 If so, why?

☐	**Agency was in noncompliance with grantee requirements for LIHEAP -**
☐	**Agency is under criminal investigation**
☑	**Added agency**
☐	**Agency closed**
☐	**Other - describe**

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

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Section 9: Energy Suppliers, 2605(b)(7) - Assurance 7

9.1 Do you make payments directly to home energy suppliers?

Heating	(•) Yes ( ) No
Cooling	(•) Yes ( ) No
Crisis	(•) Yes ( ) No
Are there exceptions?	(•) Yes ( ) No

If yes, Describe.

In most cases, direct payments are issued to energy vendors. Occasionally, dual party warrants are issued and are made payable to the client and the energy vendor. On those few occasions when utilities are included in the rent or sub-metered, warrants are issued directly to the client.

For those heating and cooling and crisis clients whose energy source is WPO, Local Service Providers make payment directly to energy vendors.

9.2 How do you notify the client of the amount of assistance paid?

When a WPO payment is made directly to an energy vendor, the Local Service Provider sends the client a letter, advising them of the LIHEAP payment amount and date. Local Service Providers keep the information on file.

When a crisis, and/or heating and cooling payment is made directly to an energy vendor, the vendor does one or both of the following:

1. Shows the amount of credit on the customer's bill, indicating that the payment was made by LIHEAP.
2. Sends a letter advising the client of the LIHEAP payment.

9.3 How do you assure that the home energy supplier will charge the eligible household, in the normal billing process, the difference between the actual cost of the home energy and the amount of the payment?

For heating and cooling, payment is made directly to an energy vendor, the vendor does one or both of the following:

1. Shows the amount of credit on the customer's bill, indicating that the payment was made by LIHEAP.
2. Sends a letter advising the client of the LIHEAP payment.

CSD evaluates the notification process of LIHEAP payments during program evaluation visits.

A different process is in place for Crisis payments, depending on whether the home energy supplier is a regulated utility or a non-regulated one.

Regulated Utilities are audited by the CPUC to ensure that proper billing procedures are in place and the amount of payments or credits are accurate. No modification of energy rates can occur without a public regulatory process, which is administered by the CPUC.

For Non-Regulated energy vendors:

1. Local Service Providers use a "Confirmation of Payment" form whereby the non-regulated energy vendors records the date and amount credited for each account.
2. Local Service Providers are required to have each home energy supplier sign an assurance agreeing to the requirements of this section. Local Service Providers keep this information on file and clients are advised of their right to fair and equal treatment at the time of service. CSD staff ensures compliance with this provision during program evaluation visits.
3. Local Service Providers verify, before paying energy suppliers for all types of delivered fuels, that the charges for the services and goods provided are reasonable and within fair-market value. The amounts of these charges are reviewed during program evaluation visits made by CSD staff.

9.4 How do you assure that no household receiving assistance under this title will be treated adversely because of their receipt of LIHEAP assistance?

Local Service Providers require each home energy supplier to sign an agreement to adhere to the requirements of this assurance. Local Service Providers keep this information on file and clients are advised of their right to fair and equal treatment at the time of service. CSD staff ensures compliance with this provision during program evaluation visits.

9.5. Do you make payments contingent on unregulated vendors taking appropriate measures to alleviate the energy burdens of eligible households?
( ) Yes (•) No

If so, describe the measures unregulated vendors may take.

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

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Section 10: Program, Fiscal Monitoring, and Audit, 2605(b)(10)

10.1. How do you ensure good fiscal accounting and tracking of LIHEAP funds?

CSD maintains fiscal controls and accounting practices in accordance with the California Uniform Accounting System. Our financial management system maintains financial data and accounting records supported by source documentation for all federal funds administered. CSD's internal control structure conforms to state and federal procedures. See below for additional information.

Audit Process

10.2. Is your LIHEAP program audited annually under the Single Audit Act and OMB Circular A - 133?
(●) Yes ( ) No

10.3. Describe any audit findings rising to the level of material weakness or reportable condition cited in the A-133 audits, Grantee monitoring assessments, inspector general reviews, or other government agency reviews of the LIHEAP agency from the most recently audited fiscal year.

No Findings ☑

Finding	Type	Brief Summary	Resolved?	Action Taken
1				

10.4. Audits of Local Administering Agencies

What types of annual audit requirements do you have in place for local adminstering agencies/district offices? Select all that apply.

- ☑ **Local agencies/district offices are required to have an annual audit in compliance with Single Audit Act and OMB Circular A-133**
- ☐ **Local agencies/district offices are required to have an annual audit (other than A-133)**
- ☑ **Local agencies/district offices' A-133 or other independent audits are reviewed by Grantee as part of compliance process.**
- ☑ **Grantee conducts fiscal and program monitoring of local agencies/district offices**

Compliance Monitoring

10.5. Describe the Grantee's strategies for monitoring compliance with the Grantee's and Federal LIHEAP policies and procedures: Select all that apply

Grantee employees:

- ☑ **Internal program review**
- ☑ **Departmental oversight**
- ☑ **Secondary review of invoices and payments**
- ☐ **Other program review mechanisms are in place. Describe:**

Local Adminstering Agencies / District Offices:

- ☑ **On - site evaluation**
- ☐ **Annual program review**
- ☑ **Monitoring through central database**

☑ **Desk reviews**

☑ **Client File Testing / Sampling**

☑ **Other program review mechanisms are in place. Describe:**

- CSD Field Operations unit conduct bi-annual comprehensive on-site field visits to verify compliance with client eligibility, benefit determinations, dwelling eligibility and measure installation, evaluate operational efficiency, evaluate subcontractor activity and oversight.
- Special monitoring visits are conducted to investigate Whistleblower complaints, evaluate underperformance, and follow-up on significant corrective action requirements.
- Weatherization dwelling inspections are being conducted on at least 5% of completed dwellings at each Agency to ensure quality of workmanship and verification of measure installation.
- Quarterly agency assessments are conducted to actively monitor Subgrantees expenditure levels, households served, and unit production.

10.6 Explain, or attach a copy of your local agency monitoring schedule and protocol.

We are planning to monitor the 2016 LIHEAP contract starting on the second week of February 2016 through September 2016.

Please see attachment for protocol. The protocol attachment is currently being revised for 2016.

10.7. Describe how you select local agencies for monitoring reviews.

Site Visits:

All LIHEAP agencies have on-site monitoring reviews at least every other program year.

Desk Reviews:

All LIHEAP agencies receive a quarterly desk review

10.8. How often is each local agency monitored ?

Every other program year at minimum

10.9. What is the combined error rate for eligibility determinations? OPTIONAL

10.10. What is the combined error rate for benefit determinations? OPTIONAL

10.11. How many local agencies are currently on corrective action plans for eligibility and/or benefit determination issues? 12

10.12. How many local agencies are currently on corrective action plans for financial accounting or administrative issues? 11

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

2015 CSD Energy Programs Monitoring Scope

Purpose

The Department of Community Services & Development (CSD) is required to conduct on-site monitoring of Contractor to ensure Contractor meets the performance goals, administrative standards, financial management requirements, and other requirements of the federal, Department of Energy Weatherization Assistance Program (DOE), and the Low income Home Energy Assistance Program (LIHEAP).

Desk reviews are also conducted on a quarterly basis for LIHEAP and DOE WAP contracts. These reviews consist of programmatic and administrative contract compliance and expenditure and production benchmarks. The information analyzed during desk reviews is used to help determine the health of the agency and will be utilized to address issues identified prior to the monitoring visit to ensure immediate resolution. This will also assist Field staff in strategizing the agency's monitoring visit.

Specific documents are often requested IN ADVANCE in an effort to reduce the amount of time spent on-site and/or to allow CSD Field staff the opportunity to identify any deficiencies and prepare for Technical Assistance and Training opportunities while on-site.

CSD Field Representatives will conduct random sampling of supporting documentation to validate expenditure reimbursements through budget line items and in client files. Although agency staff may be notified in advance of a particular time period or line item to be reviewed, this sampling can/will be expanded as warranted.

Although the basic premise is to "standardize" the Monitoring process, the uniqueness of each agency and circumstances at the time of the visit will impact the ultimate outcome of the final Monitoring Report. In general, "Findings" will be identified as areas of non-compliance with statutory and contractual requirements, financial and programmatic accountability, Federal and State Law and CSD Policy. "Recommendations" will be identified as programmatic and/or operational weaknesses or deficiencies.

Field Representatives will NOT be identifying Findings or Recommendations at any time during the on-site visit. However, Field Monitors should inform the agency about "POTENTIAL" Findings and/or Recommendations, and also inform the agency that the ultimate determination will be made by CSD management and reflected in the final Monitoring Report.

Scope The general scope for 2015 CSD Energy Programs on-site monitoring includes, but is not limited to, the following areas:

Administrative Review

- **Separation of Duties** (Matrix): Update or verify if any changes to Separation of Duties Matrix– assurance that agency has a system in place to avoid/detect fraud and safeguard the agency's assets and CSD contract funds.
- **Conflict of Interest Policy and Procedure**: Verify agency is adhering to their written Conflict of Interest Policy for Weatherization AND Utility Assistance programs. (Must include provisions for application for services received from family/friend/employee/Board Member).
- **Inventory Management Policy and Procedure**: Review Inventory Control Policies and Procedures. (Include verification of vehicle and equipment purchases and vehicle mileage logs)
- **Record Retention Policy**: Verify Record Retention Policies and Procedures (Minimum 3 years from contract end)
- **Service Territory Policy and Procedure**: Verify how agency's with multiple service territories, ensure that the allocation for the various service territories- stay within their allocated territory.
- **Complaint Management Policy and Procedure**: Verify client complaint/resolution/appeal process and request for a copy of the tracking log.
- **Procurement Policy and Procedure**: Review and verify whether the agency's Procurement P&P is in compliance with the OMB and if the agency is in conformance with their P&P.
- **Board Questionnaire**: Verifies whether the agency Board is aware of any ongoing issues (awareness/responsibilities).
- **Usage Fee Policy and Procedure**: Verifies whether the agency has an established Usage Fee Policy and Procedure that is in compliance with the OMB guidelines
- **Needs Assessment**: Inquires how often the agency conducts a needs assessment (shifting population)
    - ***Outreach***: Does the agency perform outreach based on the needs assessment? What's the agency's Outreach Methodology?

Subcontractor Oversight Review

- **Subcontractor Agreements**: Review Subcontractor Agreements to ensure compliance with all contract reimbursement rates and contract requirements
- **Monitoring**: Verify that contractor has adequate subcontractor oversight (written policy and procedure for provision of oversight)
- **Policy and Procedure**: Review the agency's subcontractor oversight Policy and Procedure
- **Testing**: Test the agency's oversight
    - ***Client File Review***: If applicable, review client file to ensure reimbursement rates are adhered to and proper oversight is conducted.

Fiscal and Performance Review

- **Billing Process**: Verify billing process (from Intake to EARS certification)
- **Line Item Reconciliation**: Validate expenditure claims submitted for reimbursement
    - Automation Supplemental expenditures will be verified.
- **Expenditure Status and Benchmarks**: Verify whether the agency is meeting expenditure goals and unit production
- **Working Capital Advance**: Verify that the agency has placed any Working Capital Advance they have received in an interest bearing account.
    - Request a copy of a bank statement
- **Aged Payables**: Verify whether the agency is timely remitting payments to vendors and/or subcontractors.
    - Request a copy of the Aged Payables

Programmatic Review

- **Prior Monitoring Issues**: Verify resolution of prior Monitoring findings and implementation of recommendations and/or Corrective Action Plans (CAPs)
- **Self-Certification of Zero Income**: Ensure agency is adhering to the zero-income policy for client self-certification during the intake process. Are they using the 43B, and asking follow up questions?
- **Client File Review**: Files must contain ALL DOCUMENTS* required by contract (Exhibit F) including, but not limited to, use of Priority Plan vs. Energy Audit
- **Diagnostic Testing**: Verify whether the agency is in compliance with the Diagnostic Testing requirements
- **Reweatherization**: Review the agency's Reweatherization Policy and verify compliance
- **SHPO**: Verify that the agency is following the SHPO requirements for dwellings 45 years and older
- **Service Applications**: Verify Agency's plan for ensuring Accessibility to applications
- **Internal Quality Assurance**: Verify agency's internal Quality Assurance (QA) processes (Eligibility, client file completeness, diagnostic testing compliance, inventory, etc.)
- **Quarterly Reports**: Discuss any on-going issues identified through Quarterly and Monthly Report reviews.

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Section 11: Timely and Meaningful Public Participation, 2605(b)(12), 2605(C)(2)

11.1 How did you obtain input from the public in the development of your LIHEAP plan? Select all that apply.

- ☐ Tribal Council meeting(s)
- ☑ Public Hearing(s)
- ☑ Draft Plan posted to website and available for comment
- ☐ Hard copy of plan is available for public view and comment
- ☑ Comments from applicants are recorded
- ☑ Request for comments on draft Plan is advertised
- ☑ Stakeholder consultation meeting(s)
- ☐ Comments are solicited during outreach activities
- ☐ Other - Describe:

11.2 What changes did you make to your LIHEAP plan as a result of this participation?

Public Hearings, 2605(a)(2) - For States and the Commonwealth of Puerto Rico Only

11.3 List the date and location(s) that you held public hearing(s) on the proposed use and distribution of your LIHEAP funds?

	Date	Event Description
1		Public Hearing at Department of Community Services and Development. 2389 Gateway Oaks Dr., Sacramento, CA 95833

11.4. How many parties commented on your plan at the hearing(s)?

11.5 Summarize the comments you received at the hearing(s).

11.6 What changes did you make to your LIHEAP plan as a result of the comments received at the public hearing(s)?

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

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Section 12: Fair Hearings, 2605(b)(13) - Assurance 13

12.1 How many fair hearings did the grantee have in the prior Federal fiscal year? 0

12.2 How many of those fair hearings resulted in the initial decision being reversed? 0

12.3 Describe any policy and/or procedural changes made in the last Federal fiscal year as a result of fair hearings?

12.4 Describe your fair hearing procedures for households whose applications are denied.

Local Service Providers provide all interested individuals equal opportunity to apply for LIHEAP programs, and may not discourage any interested individual from submitting an application for LIHEAP assistance. Local Service Providers act upon all applications in writing within 15 working days.

Pursuant to Title 22 of the California Code of Regulations, Section 100805, Local Service Providers are required to establish a written appeals process to enable applicants who are denied benefits or services, or who receive untimely response or unsatisfactory performance, the right to appeal the decision or performance to the Contractor. The process must include, at a minimum, all of the requirements of Section 100805 subdivision (b), plus:

1. Provisions that ensure that each applicant is notified in writing of the right to appeal a denial of or untimely response to an application, or to appeal unsatisfactory performance, and the process to request such an appeal, at the time that each applicant submits an application. Such notification shall include information about the right to appeal to both the Contractor and to CSD.
2. Provisions that ensure that Local Service Providers will make a good faith effort to resolve each appeal.
3. Provisions that ensure that Local Service Providers notify the applicant in writing of the Local Service Provider's final decision within 15 working days after the appeal is requested. If the appeal is denied, the written notification must include instructions on how to appeal the decision to CSD. Whenever Local Service Providers notify an applicant of a denial of an appeal, Local Service Providers simultaneously provide a copy of the final decision CSD.
4. Provisions to enable Local Service Providers to collect information on denials and appeals in its regular program reporting.

12.5 When and how are applicants informed of these rights?

Local Service Providers inform, at the time of intake, all applicants of their right to appeal all claims for assistance that are denied or are not acted upon with reasonable promptness.

1. Local Service Providers review all claims from applicants who are determined ineligible for benefits or who have submitted written notice that there has been an unreasonable delay in processing their application or receiving their benefits.
2. Local Service Providers conduct a structured, fair, and impartial meeting within 5 working days of the initial request for appeal and are required to make a good faith effort to resolve the applicant's complaint(s) at the local level. The Local Service Provider, as contractor, makes a written finding which sets forth the case of both parties and the decision of the Local Service Provider.
3. If the appeal is not resolved at the local level, Local Service Providers inform the applicant that an appeal to the State agency (CSD) may be requested as part of the Fair Hearing process and shall provide the applicant with the appropriate form
4. If the applicant decides to appeal to CSD, the applicant submits a written appeal request to be received by CSD within 10 days from the date of the contracted Local Service Provider's final decision. Upon request from CSD, Local Service Providers provide all supportive documentation to be received by the State via email or postmarked within 5 working days.
5. Within 10 working days of receipt of the requested documentation from the contracted Local Service Provider, the CSD Fair Hearing Officer reviews the appeal and supportive documentation, confers with the appellant and the contracted Local Service Provider if necessary, and notifies parties of the hearing. Within 30 days from the date of the hearing, the parties are notified of the Fair Hearing Officer's decision in writing.

12.6 Describe your fair hearing procedures for households whose applications are not acted on in a timely manner.

During intake, Local Service Providers inform applicants of their right to appeal all claims for assistance that are denied or are not acted upon with reasonable promptness.

1. Local Service Providers review all claims from applicants who are determined ineligible for benefits or who have submitted written notice that there has been an unreasonable delay in processing their application or receiving their benefits.
2. Local Service Providers conduct a structured, fair, and impartial meeting within 5 working days of the initial request for appeal and are required to make a good faith effort to resolve the applicant's complaint(s) at the local level. The Local Service Provider, as contractor, makes a written finding which sets forth the case of both parties and the decision of the Local Service Provider.
3. If the appeal is not resolved at the local level, Local Service Provider informs the applicant that an appeal to the State agency (CSD) may be requested as part of the Fair Hearing process and shall provide the applicant with the appropriate form.
4. If the applicant decides to appeal to CSD, the applicant submits a written appeal request to be received by CSD within 10 days from the date of the contracted Local Service Provider's final decision. Upon request from CSD, Local Service Providers provide all supportive documentation to be received by the State via

email or postmarked within 5 working days.

5. Within 10 working days of receipt of the requested documentation from the contracted Local Service Provider, the CSD Fair Hearing Officer reviews the appeal and supportive documentation, confers with the appellant and the contracted Local Service Provider if necessary, and notifies parties of the hearing. Within 30 days from the date of the hearing, the parties are notified of the Fair Hearing Officer's decision in writing.

12.7 When and how are applicants informed of these rights?

Applicants are informed, in writing, regarding the appeal process which is located on the CSD 43 Energy Intake Form. Applicants sign and date acknowledgment that they've read and understand their rights to appeal. Additionally, applicants will be able to view their rights to appeal on CSD's public website.

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES

August 1987, revised 05/92,02/95,03/96,12/98,11/01
OMB Clearance No.: 0970-0075
Expiration Date: 06/30/2017

LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP)
MODEL PLAN
SF - 424 - MANDATORY

Section 13: Reduction of home energy needs, 2605(b)(16) - Assurance 16

13.1 Describe how you use LIHEAP funds to provide services that encourage and enable households to reduce their home energy needs and thereby the need for energy assistance?

Local Service Providers address the energy needs of low-income households by conducting a thorough energy needs assessment of each client, providing budget counseling, energy conservation education, and coordination with utility companies. Whenever possible, weatherization services are also provided to offer a preventive, holistic and long-term solution to energy needs.

Local Service Providers maintain a source document that substantiates that the client was provided these services. The document is kept on file by the contractor and is reviewed during routine program evaluation visits made by CSD staff.

13.2 How do you ensure that you don't use more than 5% of your LIHEAP funds for these activities?

Up to 5% of the total block grant is allocated specifically for Assurance 16 activities and distributed by formula to the contractor network. CSD provides a budget form for contractors to account for Assurance 16 activities.

Local Service Providers are contractually required to submit monthly expenditure and activity reports to CSD. These reports are monitored cumulatively to ensure that no more than 5% is spent on Assurance 16 activities. The data is entered into an automated database management system, which calculates and verifies compliance. Status reports are printed regularly for use by CSD staff. Issues needing clarification and areas of concern are more readily identified with the automated system that, in turn, allows for a more timely resolution with contractors.

Local Service Providers are made aware of the 5% cap, and through the local planning process, have the flexibility to submit proposed funding levels up to the 5% cap, for activities specifically targeted for Assurance 16.

13.3 Describe the impact of such activities on the number of households served in the previous Federal fiscal year.

The impacts of the budget and energy education are that clients are more aware of their energy and household costs, which may result in overall household savings.

13.4 Describe the level ofdirect benefitsprovided to those households in the previous Federal fiscal year.

N/A

13.5 How many households applied for these services? 219,178

13.6 How many households received these services? 219,178

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

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Section 14:Leveraging Incentive Program, 2607(A)

14.1 Do you plan to submit an application for the leveraging incentive program?
(•) Yes ( ) No

14.2 Describe instructions to any third parties and/or local agencies for submitting LIHEAP leveraging resource information and retaining records.

Local Agencies participating in the Leveraging Incentive Program are required to submit a leveraging report to CSD. Agencies are required to retain all support documentation for period of three (3) years.

14.3 For each type of resource and/or benefit to be leveraged in the upcoming year that will meet the requirements of45 C.F.R. Â§ 96.87(d)(2)(iii),describe the following:

Resource	What is the type of resource or benefit ?	What is the source(s) of the resource ?	How will the resource be integrated and coordinated with LIHEAP?
1	Discount/waiver	Utility Companies	Local agencies and CSD coordinate the services provided under LIHEAP with existing reduced rate programs at CaliforniaÂs larger investor-owned utilities, as well as, many smaller municipal utilities. The coordination of these programs enables the agencies to expand services to families who otherwise would not receive assistance due to lack of information about the programs. This coordination occurs through prearranged agreements between the local CSD/LIHEAP contractors and the utility companies. The LIHEAP contractors work in direct conjunction with the utility companies by maintaining ongoing communication to screen and refer potential clients and coordinate benefits. In order to maximize the impact and effectiveness of both programs, applicants are screened to determine if the applicant from either source has already received any benefits. The applicant is provided assistance in completing an application for the reduced rate programs at the time the applicant is being assisted for HEAP.
2	Cash	Non-profits	This resource was integrated and coordinated with LIHEAP in two ways: a. Due to funds from both sources (LIHEAP and utility companies/third-party co-payments) being used in the same household, the low-income household benefited by receiving LIHEAP assistance in addition to assistance from either the utility company program or third-party co-payment once the LIHEAP programÂs maximum level of assistance was reached. b. To ensure that low-income household have year-around access to energy assistance and that the greatest number of low-income household receive assistance, local agencies have coordinated the services provided under LIHEAP with local private and public energy assistance programs. The coordination of these programs enables the agencies to expand emergency services to families who otherwise would not receive assistance through LIHEAP due to insufficient funds. The coordination occurs through prearranged agreements between the local LIHEAP contractors and the utility assistance providers. The LIHEAP contractors work in direct conjunction with the utility assistance providers by maintaining ongoing communication to screen potential clients and coordinate benefits. In order to maximize the impact and effectiveness of both programs, applicants are screened to determine if any benefits have already been received by the applicant from either source.
3	Cash	Utility companies	Utility companies provide funds to provider agencies, allowing agencies to install additional measures in qualifying low-income homes.
4	Cash	Utility companies	This resource was integrated and coordinated with LIHEAP due to funds from both sources (LIHEAP and utility companies) being used in the same household. The low-income household, therefore, was further weatherized to prevent the loss of heated and/or cooled air from the dwelling. As a result of the coordination of the weatherization contracts, additional LIHEAP-eligible households received weatherization measures, as appropriate an as allowable within LIHEAP contract. The client files are documented and maintained at each respective agency.
5	Cash	Utility companies	This resource is coordinated with LIHEAP because LIHEAP eligible and other low-income households are identified as needing repair or replacement of appliances during the time the dwelling is being assessed for weatherization services. Additionally, the utility companies utilize a bid process to identify administering agencies. CSD-funded agencies are successful in the bid process in large part due to their experience in providing weatherization services under LIHEAP and because they are known entity in the low-income community.
			Funds were used in conjunction with LIHEAP to assist with utility deposits; to repair homes prior to receiving weatherization materials and for direct weatherization of LIHEAP eligible households which would not have received assistance due to lack of funding availability. As a

6	Cash	County	result of the resources generated from the County General Fund, additional LIHEAP eligible households received weatherization measures mentioned in Resource #5 as appropriate and allowable within the LIHEAP contract. The client files are documented and maintained at each respective agency.
7	In-Kind Contribution	Landlords	Coordination with landlords to provide additional LIHEAP eligible households weatherization and appliances as appropriate and allowable within the LIHEAP contract.
8	Discount/waiver	Local Suppliers	Direct negotiations with local suppliers of weatherization materials for the LIHEAP Program resulted in lower than market costs for materials purchased in bulk quantities. As a result of the resources generated from the discount received from these bulk purchases, additional LIHEAP eligible homes received weatherization measures as appropriate and allowable within the LIHEAP contract.

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

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Section 15: Training

15.1 Describe the training you provide for each of the following groups:

a. Grantee Staff:

- [x] Formal training on grantee policies and procedures

How often?

- [x] Annually
- [ ] Biannually
- [x] As needed
- [ ] Other - Describe:

- [ ] Employees are provided with policy manual
- [ ] Other-Describe:

b. Local Agencies:

- [x] Formal training conference

How often?

- [x] Annually
- [ ] Biannually
- [x] As needed
- [ ] Other - Describe:

- [x] On-site training

How often?

- [ ] Annually
- [ ] Biannually
- [x] As needed
- [ ] Other - Describe:

- [ ] Employees are provided with policy manual
- [ ] Other - Describe

c. Vendors

- [ ] Formal training conference

How often?

- [ ] Annually
- [ ] Biannually
- [ ] As needed
- [ ] Other - Describe:

- [x] Policies communicated through vendor agreements

☐ **Policies are outlined in a vendor manual**

☐ **Other - Describe:**

15.2 Does your training program address fraud reporting and prevention?

◉ Yes
○ No

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

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Section 16: Performance Goals and Measures, 2605(b) - Required for States Only

16.1 Describe your progress toward meeting the data collection and reporting requirements of the four required LIHEAP performance measures. Include timeframes and plans for meeting these requirements and what you believe will be accomplished in the coming federal fiscal year.

January 1, 2016, CSD will implement changes to its intake form to meet the required LIHEAP performance measures reporting.

CSD continues to modify its internal reporting system to enable CSD's local service providers to transfer the data collected from the intake form into CSD's reporting system.

Over the next federal fiscal year, CSD will continue its efforts to partner with Investor Owned Utilities to obtain utility cost and consumption data.

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

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Section 17: Program Integrity, 2605(b)(10)

17.1 Fraud Reporting Mechanisms

a. Describe all mechanisms available to the public for reporting cases of suspected waste, fraud, and abuse. Select all that apply.

- ☐ **Online Fraud Reporting**
- ☑ **Dedicated Fraud Reporting Hotline**
- ☑ **Report directly to local agency/district office or Grantee office**
- ☐ **Report to State Inspector General or Attorney General**
- ☐ **Forms and procedures in place for local agencies/district offices and vendors to report fraud, waste, and abuse**
- ☑ **Other - Describe:**

CSD operates a toll free line that can be used by the public to report suspected fraud. The Bureau of State Audits has established a whistleblower hotline that is available to grantee staff to report information regarding possible fraud. The information is advertised via posters that are located throughout the department's office. Local administering agencies and vendors report fraud through various methods to the department via correspondence, telephone communication with grantee staff, and email to grantee staff. Upon notification of potential fraud, the department advises its legal office and an investigation commences. The department is in the process of developing procedures to systematically handle fraud reporting and to ensure fraud reporting is readily advertised to agencies, vendors and the general public.

b. Describe strategies in place for advertising the above-referenced resources. Select all that apply

- ☐ **Printed outreach materials**
- ☐ **Addressed on LIHEAP application**
- ☐ **Website**
- ☑ **Other - Describe:**

CSD operates a toll free line that can be used by the public to report suspected fraud. The Bureau of State Audits has established a whistleblower hotline that is available to grantee staff to report information regarding possible fraud. The information is advertised via posters that are located throughout the department's office. Local administering agencies and vendors report fraud through various methods to the department via correspondence, telephone communication with grantee staff, and email to grantee staff. Upon notification of potential fraud, the department advises its legal office and an investigation commences. The department is in the process of developing procedures to systematically handle fraud reporting and to ensure fraud reporting is readily advertised to agencies, vendors and the general public.

17.2. Identification Documentation Requirements

a. Indicate which of the following forms of identification are required or requested to be collected from LIHEAP applicants or their household members.

Type of Identification Collected	Collected from Whom?		
	Applicant Only	All Adults in Household	All Household Members
Social Security Card is photocopied and retained	☐ Required	☐ Required	☐ Required
	☑ Requested	☐ Requested	☐ Requested
Social Security Number (Without actual Card)	☐ Required	☐ Required	☐ Required
	☑ Requested	☐ Requested	☐ Requested

Government-issued identification card (i.e.: driver's license, state ID, Tribal ID, passport, etc.)	☐	Required	☐	Required	☐	Required
	☑	Requested	☐	Requested	☐	Requested

	Other	Applicant Only Required	Applicant Only Requested	All Adults in Household Required	All Adults in Household Requested	All Household Members Required	All Household Members Requested
1		☐	☐	☐	☐	☐	☐

b. Describe any exceptions to the above policies.

17.3 Identification Verification

Describe what methods are used to verify the authenticity of identification documents provided by clients or household members. Select all that apply

- ☐ Verify SSNs with Social Security Administration
- ☑ Match SSNs with death records from Social Security Administration or state agency
- ☐ Match SSNs with state eligibility/case management system (e.g., SNAP, TANF)
- ☐ Match with state Department of Labor system
- ☐ Match with state and/or federal corrections system
- ☐ Match with state child support system
- ☐ Verification using private software (e.g., The Work Number)
- ☐ In-person certification by staff (for tribal grantees only)
- ☐ Match SSN/Tribal ID number with tribal database or enrollment records (for tribal grantees only)
- ☐ Other - Describe:

17.4. Citizenship/Legal Residency Verification

What are your procedures for ensuring that household members are U.S. citizens or aliens who are qualified to receive LIHEAP benefits? Select all that apply.

- ☑ Clients sign an attestation of citizenship or legal residency
- ☐ Client's submission of Social Security cards is accepted as proof of legal residency
- ☐ Noncitizens must provide documentation of immigration status
- ☑ Citizens must provide a copy of their birth certificate, naturalization papers, or passport
- ☐ Noncitizens are verified through the SAVE system
- ☐ Tribal members are verified through Tribal enrollment records/Tribal ID card
- ☑ Other - Describe:

These requirements are only verified by our County agencies

17.5. Income Verification

What methods does your agency utilize to verify household income? Select all that apply.

- ☑ Require documentation of income for all adult household members
  - ☑ Pay stubs
  - ☑ Social Security award letters
  - ☑ Bank statements
  - ☑ Tax statements
  - ☑ Zero-income statements
  - ☑ Unemployment Insurance letters
  - ☐ Other - Describe:
- ☐ Computer data matches:

- [ ] Income information matched against state computer system (e.g., SNAP, TANF)
- [ ] Proof of unemployment benefits verified with state Department of Labor
- [ ] Social Security income verified with SSA
- [ ] Utilize state directory of new hires
- [ ] Other - Describe:

17.6. Protection of Privacy and Confidentiality

Describe the financial and operating controls in place to protect client information against improper use or disclosure. Select all that apply.

- [x] Policy in place prohibiting release of information without written consent
- [x] Grantee LIHEAP database includes privacy/confidentiality safeguards
- [x] Employee training on confidentiality for:
  - [x] Grantee employees
  - [x] Local agencies/district offices
- [x] Employees must sign confidentiality agreement
  - [x] Grantee employees
  - [x] Local agencies/district offices
- [x] Physical files are stored in a secure location
- [x] Other - Describe:

Please see attachment

17.7. Verifying the Authenticity

What policies are in place for verifying vendor authenticity? Select all that apply.

- [ ] All vendors must register with the State/Tribe.
- [x] All vendors must supply a valid SSN or TIN/W-9 form
- [x] Vendors are verified through energy bills provided by the household
- [ ] Grantee and/or local agencies/district offices perform physical monitoring of vendors
- [x] Other - Describe and note any exceptions to policies above:

CSD Documents authenticity of regulated energy vendors by collecting the Federal Employer ID number for Gas and Electric Vendors.

17.8. Benefits Policy - Gas and Electric Utilities

What policies are in place to protect against fraud when making benefit payments to gas and electric utilities on behalf of clients? Select all that apply.

- [ ] Applicants required to submit proof of physical residency
- [x] Applicants must submit current utility bill
- [x] Data exchange with utilities that verifies:
  - [ ] Account ownership
  - [ ] Consumption
  - [x] Balances
  - [ ] Payment history
  - [ ] Account is properly credited with benefit
  - [ ] Other - Describe:
- [ ] Centralized computer system/database tracks payments to all utilities
- [ ] Centralized computer system automatically generates benefit level
- [ ] Separation of duties between intake and payment approval
- [ ] Payments coordinated among other energy assistance programs to avoid duplication of payments
- [ ] Payments to utilities and invoices from utilities are reviewed for accuracy

☐	Computer databases are periodically reviewed to verify accuracy and timeliness of payments made to utilities
☑	Direct payment to households are made in limited cases only
☑	Procedures are in place to require prompt refunds from utilities in cases of account closure
☐	Vendor agreements specify requirements selected above, and provide enforcement mechanism
☐	Other - Describe:

Payments to utilities and direct pay letters are reviewed for accuracy.

17.9. Benefits Policy - Bulk Fuel Vendors

What procedures are in place for averting fraud and improper payments when dealing with bulk fuel suppliers of heating oil, propane, wood, and other bulk fuel vendors? Select all that apply.

☐	Vendors are checked against an approved vendors list
☐	Centralized computer system/database is used to track payments to all vendors
☑	Clients are relied on for reports of non-delivery or partial delivery
☐	Two-party checks are issued naming client and vendor
☐	Direct payment to households are made in limited cases only
☐	Vendors are only paid once they provide a delivery receipt signed by the client
☐	Conduct monitoring of bulk fuel vendors
☐	Bulk fuel vendors are required to submit reports to the Grantee
☐	Vendor agreements specify requirements selected above, and provide enforcement mechanism
☑	Other - Describe:

Please see attchements

17.10. Investigations and Prosecutions

Describe the Grantee's procedures for investigating and prosecuting reports of fraud, and any sanctions placed on clients/staff/vendors found to have committed fraud. Select all that apply.

☑	Refer to state Inspector General
☑	Refer to local prosecutor or state Attorney General
☑	Refer to US DHHS Inspector General (including referral to OIG hotline)
☑	Local agencies/district offices or Grantee conduct investigation of fraud complaints from public
☐	Grantee attempts collection of improper payments. If so, describe the recoupment process
☐	Clients found to have committed fraud are banned from LIHEAP assistance. For how long is a household banned?
☐	Contracts with local agencies require that employees found to have committed fraud are reprimanded and/or terminated
☐	Vendors found to have committed fraud may no longer participate in LIHEAP
☐	Other - Describe:

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

STATE ADMINISTRATIVE MANUAL

MANAGEMENT MEMO

SUBJECT: **SAFEGUARDING AGAINST AND RESPONDING TO A BREACH OF SECURITY INVOLVING PERSONAL INFORMATION**	NUMBER: **MM 08-11** DATE ISSUED: NOVEMBER 6, 2008 EXPIRES: UNTIL RESCINDED
REFERENCES: CALIFORNIA INFORMATION PRACTICES ACT OF 1977 (CIVIL CODE SECTIONS 1798 ET. SEQ); STATE ADMINISTRATIVE MANUAL (SAM) SECTIONS 5100 AND 5300 THROUGH 5399	ISSUING AGENCY: OFFICE OF INFORMATION SECURITY AND PRIVACY PROTECTION

BACKGROUND AND PURPOSE

Government Code section 11549.3 charges the Office of Information Security and Privacy Protection (OISPP) with responsibility for the creation, updating, and publishing of information security and privacy policies, standards, and procedures directing state agencies to effectively manage security and risk for information and information technology (as defined).

The purpose of this Management Memo (Memo) is to announce a new policy requirement and procedural directive related to a state agency's response to a breach of security involving personal information. It also serves to reinforce state agency responsibilities under existing law and state policy for safeguarding personal information collected, used, maintained, and/or held in custodianship in conjunction with the administration of state programs and services, and to clarify existing security incident management policies and procedures.

Safeguarding against and preventing security breaches involving personal information is essential to maintaining the public's trust in government. Failure to protect personal information can place people in jeopardy in a variety of ways, including identity theft, damage to reputation, and physical injury.

While ultimate responsibility rests with agency heads, every employee plays a role in the protection of personal information. This Memo should receive the widest possible distribution within state agencies, and each organization and individual must understand their specific responsibilities for implementing and complying with information security and privacy requirements and procedures.

GENERAL POLICY

Longstanding policies articulated in State Administrative Manual (SAM) and law, including but not limited to SAM Sections 5100 and 5300 through 5399, and the California Information Practices Act (IPA) of 1977 (Civil Code sections 1798 et seq.), require all state agencies to establish:

- Ongoing data inventory and classification procedures for all records held by the agency. (SAM section 5320.5 and Chapter 1600).
- Administrative, technical, and physical safeguards to appropriately ensure the security (confidentiality, integrity, and availability) of those records and to protect against anticipated threats or hazards that could result in any injury. (SAM sections 5310 and 5325, and Civil Code section 1798.21).
- Rules of conduct for any person involved in the design, development, operation, use, disclosure, maintenance, and destruction of records

containing personal information. (Management Memo 06-12, SAM sections 5310 and 5325, and Civil Code section 1798.20).

- Ongoing training and instruction to any persons involved in the design, development, operation, use, disclosure, maintenance, and destruction of records containing personal information about the rules and consequences of noncompliance. (SAM section 5325 and Civil Code section 1798.20).

- Encryption of portable computing devices and media that contain confidential, personal and sensitive information. (SAM section 5345.2)

- Use of the American National Standards Institute (ANSI) management information standards and the Federal Information Processing Standards (FIPS) in their information management planning and operations. (SAM section 5100). The ANSI standards are national consensus standards that provide guidance on a variety of issues central to the public and industrial sectors. Under the Information Technology Management Reform Act (Public Law 104-106), the Secretary of Commerce approves standards and guidelines that are developed by the National Institute of Standards and Technology (NIST) for Federal computer systems. These standards and guidelines are issued by NIST as FIPS for use government-wide. NIST develops FIPS when there are compelling Federal government requirements such as for security and interoperability and there are no acceptable industry standards or solutions. Guidance documents and requirements for implementing these standards include, without limitation, those related to the validation of cryptographic modules found in encryption products used for the protection of confidential, personal, or sensitive information.

- A process to ensure individuals are notified when a security breach involving their personal information has occurred. (SAM section 5350.3 and Civil Code section 1798.29).

PERSONAL INFORMATION DEFINED

The IPA broadly defines personal information in Civil Code section 1798.3 as "any information that is maintained by the agency that identifies or describes an individual, including, but not limited to, his or her name, social security number, physical description, home address, home telephone number, education, financial matters, and medical or employment history. It includes statements made by or attributed to, the individual."

For purposes of both the legal and state policy breach notification requirements, the subset of personal information as defined in Civil Code section 1798.29, subsections (e) through (f) is used and hereinafter referred to as "notice-triggering" information.

EXISTING SAFEGUARD REQUIREMENTS

The following are particularly important requirements within the existing legal and policy framework that state agencies should already have implemented to safeguard personal information:

1. Rules and Controls Limiting Access. Agencies must ensure that their access control policies and practices support the principle of "least privilege" and appropriate segregation of duties. Least privilege refers to the granting of employee access to personal information or systems based

on a legitimate business need to access the information in the performance of their job duties (refer to Chapter 16, of NIST SP-800-12, An Introduction to Computer Security). Agencies must also implement controls to detect and deter misuse, unauthorized access, or access that exceeds the limits of an employee's authorized access. For example, an employee may, by virtue of his or her job-related duties, have access to all records in a particular database or system, including records that may be held by the agency about those personally known to him or her (e.g., friends, family members, neighbors, etc.). However, that employee should not access those records unless specifically assigned a job-related duty in support of the processing or handling of such records. Agencies must also employ, to the extent practical, technical controls to automate compliance with these requirements. (SAM sections 5100, 5335.1, 5335.2, 5340, and 20050).

2. Employee Training. **Before** permitting access to agency information and information systems, agencies must train all employees (including managers and contracted staff) about their privacy and security responsibilities. Supervisors must also be trained about their role and responsibilities for providing day-to-day instruction, training and supervision of staff regarding their obligation to safeguard personal information. Thereafter, agencies must train employees at least once annually to ensure employees continue to understand their responsibilities. Additional or advanced training should also be provided commensurate with increased responsibilities or changes in duties. Both initial and refresher training must cover acceptable rules of behavior and the consequences when rules are not followed. For agencies implementing telecommuting or telework, and other authorized remote access programs, training must include the rules of such programs. (SAM section 5325 and Civil Code section 1798.20).

3. Signed Acknowledgements. Agencies must ensure that all individuals with authorized access to personal information sign an acknowledgement at least once each year to demonstrate both their receipt of the rules and requisite training, as well as their understanding of the consequences for failure to follow the rules. (SAM section 5325).

4. Written Agreements with Third Parties. Agencies must ensure that when personal information is shared with third parties, it is either specifically permitted or required by law and that a written agreement is executed between the parties. The written agreement is to identify the applicable Federal and state laws, as well as all departmental policies, standards, procedures, and security controls that must be implemented and followed by the third party to adequately protect the information. The agreement must also require the third party, and any of its sub-contractors with whom they are authorized to share the data, to share only the minimum personal information necessary, to securely return or destroy the personal information upon expiration of the contract, and to provide immediate notification to the state agency, and to individuals when appropriate, whenever there is a breach of personal information. (SAM sections 5310 and 5320.3, and Civil Code section 1798.19).

5. Encryption. Agencies must encrypt all confidential, personal, or sensitive data on mobile devices or media whenever that type of information is

authorized for use on such devices or media, using only NIST certified cryptographic modules (FIPS 140-2 validated products). (SAM sections 5100 and 5345.2).

6. Review and Reduce Current Personal Information Holdings. Agencies must review current holdings of all records containing personal information and ensure to the maximum extent practical, such holdings are reduced to the minimum necessary for the proper performance of a documented agency function. (Civil Code section 1798.14).

7. Review Current Forms and Other Methods of Personal Information Collection. Agencies must review all current forms, paper, and any other methods (e.g., online or telephony) used to collect personal information, to ensure the specific authority or authorization to collect such information exists, and appropriate notice is included on or with any such forms. (Civil Code section 1798.17).

8. Eliminate Unnecessary Collection and Use. When in the course of such reviews, the collection of personal information is no longer necessary for an authorized business purpose, agencies shall ensure that its collection is discontinued, and that the forms or any other methods used to collect this information are properly retired, revised, or replaced. (Civil Code section 1798.14).

9. Explore Alternatives to the Use of Social Security Numbers. Many recently enacted privacy laws prohibit the use of Social Security numbers as personal identifiers in state systems, or specifically require truncation when they must be used. All state agencies should participate in government-wide efforts to explore alternatives to the use of Social Security numbers as a personal identifier for both recipients of state programs and services, and state employees. (Civil Code sections 1798.14 and 1798.85).

10. Review Internal Controls to Safeguard Personal Information. Agencies must ensure that their risk management practices and ongoing assessments and reviews include evaluations of the adequacy of controls implemented to safeguard personal information held by the agency, and its contractors, and its other custodians with whom data may be shared. Internal controls include "Information Technology" controls, as well as administrative controls. (SAM sections 5305 to 5305.2). Further, in accordance with the California Financial Integrity and State Manager's Accountability Act (FISMA) of 1983 (Government Code Sections 13400 through 13407), "internal accounting and administrative controls are the methods through which reasonable assurances can be given that measures adopted by state agency heads to safeguard assets, check accuracy and reliability of accounting data, promote operational efficiency, and encourage adherence to prescribed managerial policies are being followed." To ensure the state FISMA requirements are fully complied with, the head of each state agency must conduct an internal review and report on the adequacy of its internal controls by December 31, of each odd numbered year to the Legislature, the State Auditor, the Governor, the Director of the Department of Finance, and the State Library. (SAM section 20060). An agency's review of personal information holdings, personal information collection methods, and internal controls to

safeguard personal information may be completed in conjunction with the agency's biennial FISMA review.

EXISTING INCIDENT MANAGEMENT AND BREACH RESPONSE REQUIREMENTS

Existing state law and state policy require agencies to carry out the following incident management and breach response responsibilities:

1. Promptly investigate incidents involving the improper dissemination of information, or the loss, damage, or misuse of information assets. Incident management includes the formulation and adoption of an incident management plan that provides for the timely assembly of appropriate staff and their response to, reporting on, and recovery from a variety of incidents. Incident management also includes the application of lessons learned, and the determination of, and implementation of appropriate corrective actions to prevent or mitigate the risk of similar occurrences. (SAM sections 5350 and 8643).

2. Immediately report any security incident, including any breach of personal information as defined by Civil Code Section 1798.3 (includes non notice-triggering personal information) to the California Highway Patrol's Emergency Notification and Tactical Alert Center (ENTAC) at (916) 657-8287. (SAM sections 5350.2 and 8643, and Government Code section 14613.7).

3. Notify individuals when a breach of their personal information was, or is reasonably believed to have been acquired by an unauthorized person. Civil Code section 1798.29, sub-sections (e) through (f) specifically require notification to individuals in breaches of unencrypted computerized personal information of a specified type (which is referred to as "notice-triggering" information). Notice-triggering information includes the first name or first initial and last name in combination with any one or more of the following data elements:

    a. Social Security number.
    b. Driver's license number or California Identification Card number.
    c. Account number, credit or debit card number, in combination with any required security code, access code, or password that would permit access to an individual's financial account.
    d. Medical information (as defined).
    e. Health insurance information (as defined).

    While Civil Code section 1798.29 focuses on computerized data elements, the current state policy requires notification when a breach of an individual's personal information involves these same "notice-triggering" data elements or otherwise exposes individuals to substantial risk of harm, regardless of the data medium. (SAM section 5350.3).

4. Prepare and submit a written follow-up Agency Security Incident Report (SIMM 65C form) to OISPP, within ten (10) business days from the date of initial reporting to ENTAC, that describes what occurred, what steps or actions were taken to mitigate the risk of recurrence, and the cost associated with both the incident and any corrective action. (SAM sections 5350.3 and 5360.1).

NEW BREACH RESPONSE REQUIREMENTS AND PROCEDURAL DIRECTIVE

Effective immediately, any breach notification issued by a state agency, or the agency's contractor or custodian, in conjunction with a breach of state owned information assets must be submitted to OISPP for review and approval prior to its dissemination or release to affected individual(s). This process will help ensure consistency and clarity of notifications, as well as the accuracy of the privacy protection procedures and instructions provided in the notification.

While the decision to notify individuals ultimately rests with agency heads; when a breach occurs, agencies must seek guidance from, and consult with, the OISPP, as well as the agency's Legal Office, Information Security Officer and Privacy Officer/Coordinator regarding the means by which individuals will be notified.

In support of this policy, and to ensure state agencies understand their responsibilities for making notification to individuals affected by a breach, OISPP has also issued a new State Information Management Manual (SIMM) document as a procedural directive, entitled *SIMM 65D-Personal Information Breach Notification: Requirements and Decision-Making Criteria for State Agencies*. This document outlines the current breach notification requirements; the requirements for developing a protocol for internal notifications; identifies decision making criteria that must be included in a decision making procedure; and, provides a comprehensive checklist and notification templates to assist state agencies with response to a breach of personal information.

ROLES AND RESPONSIBILITIES

All state agencies and their employees, including contractors, state data custodians, and volunteer service workers, are required to adhere to these policies. Furthermore, state agencies are required to acknowledge the extent to which they are meeting these requirements in their Agency Risk Management and Privacy Program Certification, submitted annually to the OISPP. (SAM sections 5300.3, 5315.1, 5320 through 5320.4, and 5360.1).

"Agencies" includes all state agencies, departments, offices, boards, commissions, institutions, and special organizational entities unless otherwise specifically exempted by law or state policy reference. (SAM section 5300.2).

SAM AND SIMM UPDATES

Changes to the SAM will be forthcoming and will appear in the next update of the SAM. To see the substance of this policy change, you may refer to the following described documents on the OISPP Web site at: www.infosecurity.ca.gov:

1. Advance Copy of Changes to State Administrative Manual sections 5320.2, 5320.3, 5320.5, 5350, and 5350.4
2. SIMM 65D-Security Breach Involving Personal Information: Requirements and Decision Making Criteria for State Agencies

QUESTIONS

Questions regarding this Memo and related documents may be directed to OISPP at (916) 445-5239 or by email at Security@oispp.ca.gov

SIGNATURE

Original signed by Michael Saragoza, Undersecretary
For Rosario Marin, Secretary

_____

Rosario Marin, Secretary
State and Consumer Services Agency

State of California
DEPARTMENT OF COMMUNITY SERVICES AND DEVELOPMENT
CSD 415 (Rev. 06/01/06)

ECIP/HEAP PAYMENT REQUEST AND CONFIRMATION
(NON-REGULATED UTILITY COMPANIES ONLY)

To:	Utility Company's Name:	Attention:		
From:	Agency's Name:			Date of Request:
	Mailing Address:	City:	State:	Zip:
	Agency Contact Person:		Phone:	

Instructions to non-regulated utility companies:

1. Once a client's account has been credited, enter the date in the "DATE CREDITED" column.
2. After all accounts have been credited, sign and date the form in the space provided below.
3. Return this form to the agency's contact person at the address identified above.

The following utility payments are being made on behalf of these clients:

	Name and Address of Client	Utility Account #	Payment Amount	Date Credited
1.			$	
2.			$	
3.			$	
4.			$	
5.			$	
6.			$	
7.			$	
8.			$	

UTILITY COMPANY CERTIFICATION

I hereby certify that the referenced accounts were credited in the amounts shown.

Name/Title	Signature of Approval	Date

AGENCY USE ONLY

Total Payments	$	Check Number	#

ECIP/HEAP PAYMENT REQUEST AND CONFIRMATION
CSD 415 (Rev. 06/01/06)
Instructions

This form will be used by the agency and non-regulated utility company in compliance with Section 2605(b)(7), item (B) of the Low-Income Home Energy Assistance Act of 1981.

1. Agency completes the "To" section of the form entering the non-regulated utility company information.
2. Agency completes the "From" section of the form entering the agency's name, address, and contact person.
3. Agency enters the list of client information, including utility account # and amount of payment.
4. Agency enters "Total Payments" amount and the "Check Number" information which corresponds to data from Step 3.
5. Agency forwards form to identified non-regulated utility company for review and completion.
6. Upon return of form from utility company, Agency reviews and verifies the amount credited for each client.
7. Agency retains this form on file for monitoring purposes.

Contractor's equivalent form is allowed, but must be pre-approved by CSD.

State of California
DEPARTMENT OF COMMUNITY SERVICES AND DEVELOPMENT
CSD 416 (Rev. 06/01/06)

ANNUAL ECIP/HEAP HOME ENERGY SUPPLIER ASSURANCE (NON-REGULATED UTILITY COMPANIES ONLY)

The undersigned home energy supplier hereby agrees and assures to

Agency's Name

that it will comply with the following provisions as federally-mandated under the Low-Income Home Energy Assistance Program in regard to energy fuels and related services provided to eligible households:

1. No household receiving assistance under this program will be treated adversely because of such assistance under applicable provisions of State law or public regulatory requirements;

2. Not to discriminate, either in the cost of the goods supplied or in the services provided, against the eligible household on whose behalf payments are made; and

3. To allow representatives of the agency referenced above, and/or the State, access to records relating to payments to households for the purpose of verification of compliance with these assurances.

Utility Company	
Name and Title (Please Print)	Telephone Number
Authorized Signature	Date

ANNUAL ECIP/HEAP HOME ENERGY SUPPLIER ASSURANCE
(NON-REGULATED UTILITY COMPANIES ONLY)
CSD 416 (Rev. 6/1/06)
Instructions

Use this form to comply with Section 2605(b)(7), items (C) and (D) of the Low-Income Home Energy Assistance Act of 1981.

1. Enter the agency name on the line provided.

2. This form must be provided to the non-regulated utility company for signature.

3. Once the form is returned from the non-regulated utility company, ensure that the form is signed and dated.

4. Retain this form for up to one year from the date of signature.

5. This form must be submitted to the non-regulated utility company for signature on an annual basis.

6. Please refer to http://www.acf.hhs.gov/programs/liheap/guidance/statute/statute.html#Sec2605 for the regulation.

Section 18: Certification Regarding Debarment, Suspension, and Other Responsibility Matters

Certification Regarding Debarment, Suspension, and Other Responsibility Matters--Primary Covered Transactions

Instructions for Certification

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.

2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.

3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.BrBbr.

4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

5. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.

6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled ``Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the department or

agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

Certification Regarding Debarment, Suspension, and Other Responsibility Matters--Primary Covered Transactions

(1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;

(b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Covered Transactions

Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or had become erroneous by reason of changed circumstances.

4. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meaning set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, [[Page 33043]] should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled ``Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction,'' without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from covered transactions, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is

normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

Certification Regarding Debarment, Suspension, Ineligibility an Voluntary Exclusion--Lower Tier Covered Transactions

(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

(2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

☑ **By checking this box, the prospective primary participant is providing the certification set out above.**

Section 19: Certification Regarding Drug-Free Workplace Requirements

This certification is required by the regulations implementing the Drug-Free Workplace Act of 1988: 45 CFR Part 76, Subpart, F. Sections 76.630(c) and (d)(2) and 76.645(a)(1) and (b) provide that a Federal agency may designate a central receipt point for STATE-WIDE AND STATE AGENCY-WIDE certifications, and for notification of criminal drug convictions. For the Department of Health and Human Services, the central pint is: Division of Grants Management and Oversight, Office of Management and Acquisition, Department of Health and Human Services, Room 517-D, 200 Independence Avenue, SW Washington, DC 20201.

Certification Regarding Drug-Free Workplace Requirements (Instructions for Certification)

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification set out below.

2. The certification set out below is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, the agency, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.

3. For grantees other than individuals, Alternate I applies.

4. For grantees who are individuals, Alternate II applies.

5. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.

6. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio studios).

7. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph five).

8. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

Controlled substance **means a controlled substance in Schedules I through V of the**

Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

***Conviction* means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;**

***Criminal drug statute* means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;**

***Employee* means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All direct charge employees; (ii) All indirect charge employees unless their impact or involvement is insignificant to the performance of the grant; and, (iii) Temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).**

Certification Regarding Drug-Free Workplace Requirements

Alternate I. (Grantees Other Than Individuals)
The grantee certifies that it will or will continue to provide a drug-free workplace by:,

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
(b) Establishing an ongoing drug-free awareness program to inform employees about --
(1)The dangers of drug abuse in the workplace;
(2) The grantee's policy of maintaining a drug-free workplace;
(3) Any available drug counseling, rehabilitation, and employee assistance programs; and
(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will --
(1) Abide by the terms of the statement; and
(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
(e) Notifying the agency in writing, within ten calendar days after receiving notice under paragraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
(f)Taking one of the following actions, within 30 calendar days of receiving notice under paragraph (d)(2), with respect to any employee who is so convicted -(1) Taking appropriate

personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).
(B) The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

2389 Gateway Oaks Drive #100 * Address Line 1		
Address Line 2		
Address Line 3		
Sacramento * City	CA * State	95833 * Zip Code

Check if there are workplaces on file that are not identified here.

Alternate II. (Grantees Who Are Individuals)

(a) The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant;

(b) If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to every grant officer or other designee, unless the Federal agency designates a central point for the receipt of such notices. When notice is made to such a central point, it shall include the identification number(s) of each affected grant.

[55 FR 21690, 21702, May 25, 1990]

☑ By checking this box, the prospective primary participant is providing the certification set out above.

Section 20: Certification Regarding Lobbying

The submitter of this application certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, ``Disclosure Form to Report Lobbying,'' in accordance with its instructions

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, ``Disclosure Form to Report Lobbying,'' in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

☑ By checking this box, the prospective primary participant is providing the certification set out above.

Assurances

(1) use the funds available under this title to--

(A) conduct outreach activities and provide assistance to low income households in meeting their home energy costs, particularly those with the lowest incomes that pay a high proportion of household income for home energy, consistent with paragraph (5);

(B) intervene in energy crisis situations;

(C) provide low-cost residential weatherization and other cost-effective energy-related home repair;and

(D)plan, develop, and administer the State's program under this title including leveraging programs, and the State agrees not to use such funds for any purposes other than those specified in this title;

(2) make payments under this title only with respect to--

(A) households in which one or more individuals are receiving--

(i)assistance under the State program funded under part A of title IV of the Social Security Act;

(ii) supplemental security income payments under title XVI of the Social Security Act;

(iii) food stamps under the Food Stamp Act of 1977; or

(iv) payments under section 415, 521, 541, or 542 of title 38, United States Code, or under section 306 of the Veterans' and Survivors' Pension Improvement Act of 1978; or

(B) households with incomes which do not exceed the greater of -

(i) an amount equal to 150 percent of the poverty level for such State; or

(ii) an amount equal to 60 percent of the State median income;

(except that a State may not exclude a household from eligibility in a fiscal year solely on the basis of household income if such income is less than 110 percent of the poverty level for such State, but the State may give priority to those households with the highest home energy costs or needs in relation to household income.

(3) conduct outreach activities designed to assure that eligible households, especially households with elderly individuals or disabled individuals, or both, and households with high home energy burdens, are made aware of the assistance available under this title, and any similar energy-related assistance available under subtitle B of title VI (relating to community services block grant program) or under any other provision of law which carries out programs which were administered under the Economic Opportunity Act of 1964 before the date of the enactment of this Act;(4) coordinate its activities under this title with similar and related programs administered by the Federal Government and such State, particularly low-income energy-related programs under subtitle B of title VI (relating to community services block grant program), under the supplemental security income program, under part A of title IV of the Social Security Act, under title XX of the Social Security Act, under the low-income weatherization assistance program under title IV of the Energy Conservation and Production Act, or under any other provision of law which carries out programs which were administered under the Economic Opportunity Act of 1964 before the date of the enactment of this Act;(5) provide, in a timely manner, that the highest level of assistance will be furnished to those households which have the lowest incomes and the highest energy costs or needs in relation to income, taking into account family size, except that the State may not differentiate in implementing this section between the households described in clauses 2(A) and 2(B) of this subsection;

(6) to the extent it is necessary to designate local administrative agencies in order to carry out the purposes of this title, to give special consideration, in the designation of such agencies, to any local public or private nonprofit agency which was receiving Federal funds under any low-income energy assistance program or weatherization program under the Economic Opportunity Act of 1964 or any other provision of law on the day before the date of the enactment of this Act, except that -

(A) the State shall, before giving such special consideration, determine that the agency involved meets program and fiscal requirements established by the State; and

(B) if there is no such agency because of any change in the assistance furnished to programs for economically disadvantaged persons, then the State shall give special consideration in the designation of local administrative agencies to any successor agency which is operated in substantially the same manner as the predecessor agency which did receive funds for the fiscal year preceding the fiscal year for which the determination is made;

(7) if the State chooses to pay home energy suppliers directly, establish procedures to --

(A) notify each participating household of the amount of assistance paid on its behalf;

(B) assure that the home energy supplier will charge the eligible household, in the normal billing process, the difference between the actual cost of the home energy and the amount of the payment made by the State under this title;

(C) assure that the home energy supplier will provide assurances that any agreement entered into with a home energy supplier under this paragraph will contain provisions to assure that no household receiving assistance under this title will be treated adversely because of such assistance under applicable provisions of State law or public regulatory requirements; and

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(D) ensure that the provision of vendor payments remains at the option of the State in consultation with local grantees and may be contingent on unregulated vendors taking appropriate measures to alleviate the energy burdens of eligible households, including providing for agreements between suppliers and individuals eligible for benefits under this Act that seek to reduce home energy costs, minimize the risks of home energy crisis, and encourage regular payments by individuals receiving financial assistance for home energy costs;

(8) provide assurances that,

(A) the State will not exclude households described in clause (2)(B) of this subsection from receiving home energy assistance benefits under clause (2), and

(B) the State will treat owners and renters equitably under the program assisted under this title;

(9) provide that--

(A) the State may use for planning and administering the use of funds under this title an amount not to exceed 10 percent of the funds payable to such State under this title for a fiscal year; and

(B) the State will pay from non-Federal sources the remaining costs of planning and administering the program assisted under this title and will not use Federal funds for such remaining cost (except for the costs of the activities described in paragraph (16));

(10) provide that such fiscal control and fund accounting procedures will be established as may be necessary to assure the proper disbursal of and accounting for Federal funds paid to the State under this title, including procedures for monitoring the assistance provided under this title, and provide that the State will comply with the provisions of chapter 75 of title 31, United States Code (commonly known as the "Single Audit Act");

(11) permit and cooperate with Federal investigations undertaken in accordance with section 2608;

(12) provide for timely and meaningful public participation in the development of the plan described in subsection (c);

(13) provide an opportunity for a fair administrative hearing to individuals whose claims for assistance under the plan described in subsection (c) are denied or are not acted upon with reasonable promptness; and

(14) cooperate with the Secretary with respect to data collecting and reporting under section 2610.

(15) * beginning in fiscal year 1992, provide, in addition to such services as may be offered by State Departments of Public Welfare at the local level, outreach and intake functions for crisis situations and heating and cooling assistance that is administered by additional State and local governmental entities or community-based organizations (such as community action agencies, area agencies on aging and not-for-profit neighborhood-based organizations), and in States where such organizations do not administer functions as of September 30, 1991, preference in awarding grants or contracts for intake services shall be provided to those agencies that administer the low-income weatherization or energy crisis intervention programs.

*** This assurance is applicable only to States, and to territories whose annual regular LIHEAP allotments exceed $200,000. Neither territories with annual allotments of $200,000 or less nor Indian tribes/tribal organizations are subject to Assurance 15.**

(16) use up to 5 percent of such funds, at its option, to provide services that encourage and enable households to reduce their home energy needs and thereby the need for energy assistance, including needs assessments, counseling, and assistance with energy vendors, and report to the Secretary concerning the impact of such activities on the number of households served, the level of direct benefits provided to those households, and the number of households that remain unserved.

Plan Attachments

PLAN ATTACHMENTS
The following documents must be attached to this application
• **Delegation Letter is required if someone other than the Governor or Chairman Certified this Report.**
• **Heating component benefit matrix, if applicable**
• **Cooling component benefit matrix, if applicable**
• **Minutes, notes, or transcripts of public hearing(s).**

OFFICE OF THE GOVERNOR

May 26, 2011

Ms. Yolanda J. Butler, Ph.D.
Acting Director
Office of Community Services
Administration for Children and Families
U.S. Department of Health and Human Services
370 L'Enfant Promenade, S.W.
Washington, D.C. 20447

Dear Ms. Butler:

Pursuant to 42 U.S.C. 9908(a)(1) and Title 45, Part 96.10(b) of the Code of Federal Regulations, I hereby delegate signature authority to John A. Wagner, Acting Director of the State of California's Department of Community Services and Development, and his successor, for the purposes of submitting the application and certifying compliance with federal assurances relating to the Community Services Block Grant and Low-Income Home Energy Assistant Program.

Sincerely,

Edmund G. Brown Jr.

*2016 benefit (payment) levels to be determined prior to start of 2016 program year

2016
HEAP and FAST TRACK Base Benefit Amount (BBA)
XXXXXX COUNTY

Household's Monthly Income Guidelines & Poverty Group

	Poverty Group I	Poverty Group II	Poverty Group III	Poverty Group IV	
HH Size					
1	$0 - $980.83	$980.84 - $1,226.04	$1,226.05 - $1,471.25	$1,471.26 - $2,004.77	$2,004.78 AND ABOVE
Payment					NOT ELIGIBLE
2	$0 - $1,327.50	$1,327.51 - $1,659.38	$1,659.39 - $1,991.25	$1,991.26 - $2,621.63	$2,621.64 AND ABOVE
Payment					NOT ELIGIBLE
3	$0 - $1,674.17	$1,674.18 - $2,092.71	$2,092.72 - $2,511.25	$2,511.26- $3,238.48	$3,238.49 AND ABOVE
Payment					NOT ELIGIBLE
4	$0 - $2,020.83	$2,020.84 - $2,526.04	$2,526.05 – 3,031.25	$3,031.26 - $3,855.33	$3,855.34 AND ABOVE
Payment					NOT ELIGIBLE
5	$0 - $2,367.50	$2,367.51 - $2,959.38	$2,959.39 - $3,551.25	$3,551.26 - $4,472.19	$4,472.20 AND ABOVE
Payment					NOT ELIGIBLE
6	$0 - $2,714.17	$2,714.18 - $3,392.71	$3,392.72 - $4,071.25	$4,071.26 - $5,089.04	$5,089.05 AND ABOVE
Payment					NOT ELIGIBLE
7	$0 - $3,060.83	$3,060.84 - $3,826.04	$3,826.05 - $4,591.25	$4,591.26 - $5,204.70	$5,204.71 AND ABOVE
Payment					NOT ELIGIBLE
8	$0 - $3,407.50	$3,407.51 - $4,259.38	$4,259.39 - $5,111.25	$5,111.26 - $5,320.36	$5,320.37 AND ABOVE
Payment					NOT ELIGIBLE
9	$0 - $3,754.17	$3,754.18- $4,692.71	$4,692.72 - $5,436.02	$5,436.03 AND ABOVE	
Payment				NOT ELIGIBLE	
10	$0 - $4,100.83	$4,100.84 - $5,126.04	$5,126.05- $5,551.68	$5,551.69 AND ABOVE	
Payment				NOT ELIGIBLE	
11	$0 - $4,447.50	$4,447.51 - $5,559.38	$5,559.39 - $5,667.34	$5,667.35 AND ABOVE	
Payment				NOT ELIGIBLE	
12	$0 - $4,794.17	$4,794.18 - $5,783.00	$5,783.01 AND ABOVE		
Payment			NOT ELIGIBLE		
13	$0 - $ 5,140.83	$5,140.84 - $5,898.66	$5,898.67 AND ABOVE		
Payment			NOT ELIGIBLE		
14	$0 - $5,487.50	$5,487.51 - $6,014.32	$6,014.33 AND ABOVE		
Payment			NOT ELIGIBLE		
15	$0 - $5,834.17	$5,834.18 - $6,129.98	$6,129.99 AND ABOVE		

Revised 9/24/2014

Payment			NOT ELIGIBLE

*2016 benefit (payment) levels to be determined prior to start of 2016 program year

2016 HEAP and FAST TRACK Base Benefit Amount (BBA)
XXXXXX COUNTY
Household's Monthly Income Guidelines & Poverty Group

	Poverty Group I	Poverty Group II	Poverty Group III	Poverty Group IV	
HH Size					
16	$0 - $6,180.83	$6,180.84 - $6,245.64	$6,245.65 AND ABOVE		
Payment			NOT ELIGIBLE		
17	$0 - $6,361.30	$6,361.31 AND ABOVE			
Payment		NOT ELIGIBLE			
18	$0 - $6,476.96	$6,476.97 AND ABOVE			
Payment		NOT ELIGIBLE			
19	$0 - $6,592.62	$6,592.63 AND ABOVE			
Payment		NOT ELIGIBLE			
20	$0 - $6,708.28	$6,708.29 AND ABOVE			
Payment		NOT ELIGIBLE			
21	$0 - $6,823.94	$6,823.95 AND ABOVE			
Payment		NOT ELIGIBLE			
22	$0 - $6,939.60	$6,939.61 AND ABOVE			
Payment		NOT ELIGIBLE			
23	$0 - $7,055.26	$7,055.27 AND ABOVE			
Payment		NOT ELIGIBLE			
24	$0 - $7,170.92	$7,170.93 AND ABOVE			
Payment		NOT ELIGIBLE			
25	$0 - $7,286.58	$7,286.59 AND ABOVE			