

TITLE 8 SOCIAL SERVICES
CHAPTER 150 LOW INCOME HOME ENERGY ASSISTANCE PROGRAM
PART 500 ELIGIBILITY

8.150.500.1 ISSUING AGENCY: New Mexico Human Services Department.
[7-1-95, 11-1-95; 8.150.500.1 NMAC - Rn, 8 NMAC 22.LHP.000.1, 10-1-01]

8.150.500.2 SCOPE: The rule applies to the general public.
[7-1-95, 11-1-95; 8.150.500.2 NMAC - Rn, 8 NMAC 22.LHP.000.2, 10-1-01]

8.150.500.3 STATUTORY AUTHORITY: 27 NMSA 1978 (1992 Repl.) provides for the department to "...adopt, amend and repeal bylaws, rules and regulations...". It also provides for administration of public assistance programs.
[7-1-95, 11-1-95; 8.150.500.3 NMAC - Rn, 8 NMAC 22.LHP.000.3, 10-1-01]

8.150.500.4 DURATION: Permanent.
[7-1-95, 11-1-95; 8.150.500.4 NMAC - Rn, 8 NMAC 22.LHP.000.4, 10-1-01]

8.150.500.5 EFFECTIVE DATE: November 15, 1996, unless a different date is at the end of a section or paragraph.
[7-1-95, 11-1-95; 1-15-96, 8.150.500.5 NMAC - Rn, 8 NMAC 22.LHP.000.5, 10-1-01]

8.150.500.6 OBJECTIVE: The objective of these regulations is to provide policy and procedures for the administration of the Low Income Home Energy Assistance Program.
[7-1-95, 11-1-95; 8.150.500.6 NMAC - Rn, 8 NMAC 22.LHP.000.6, 10-1-01]

8.150.500.7 DEFINITIONS: [RESERVED]

8.150.500.8 NEED DETERMINATION: To be eligible for LIHEAP benefits households must do the following:

A. An applicant/recipient or representative must complete an application for LIHEAP benefits and will be interviewed face to face or telephonically only if information is questionable, to determine crisis or life threatening situations, or if the client has not been interviewed by the department for any other ISD program thirty (30) days prior to the application date stamped on the application.

B. The household must provide proof that they meet the qualifications of the LIHEAP program; current documents used in other public assistance programs may be used for LIHEAP application processes, unless questionable:

- (1) proof of identity for the applicant using any of the following documentation:
 - (a) birth certificates(s); or
 - (b) baptism certificate; or
 - (c) hospital or birth record; or
 - (d) divorce papers; or
 - (e) alien registration card; or
 - (f) immigration & naturalization service (INS) records; or
 - (g) U. S. passport; or
 - (h) Indian census records; or
 - (i) family bible; or
 - (j) school or day care records; or
 - (k) government records; or
 - (l) social security records; or
 - (m) social service records; or
 - (n) insurance policy; or
 - (o) court records; or
 - (p) church records; or
 - (q) voter registration card; or

- (r) letter from doctor, religious official or school official, or someone else who knows the applicant; or
- (s) applicant sworn statement;
- (2) proof of citizenship or legal resident status if questionable, such as birth certificate, permanent resident card, naturalization papers, etc.;
- (3) social security numbers for all household members requesting assistance; a social security card is required if the department is not able to validate or if the number is questionable;
- (4) proof of gross income for all household members, such as check stubs, award letters, statement from employer, etc.;
- (5) proof of a utility responsibility with an expense incurred in the past twelve months for the household's current residence:
 - (a) bill for metered service for a one-month period, or
 - (b) two (2) consecutive purchase receipts for propane, or a history of the account from the vendor, or
 - (c) receipt for wood purchase which includes a statement from the applicant of the duration of use for said wood, or
 - (d) rental agreement or landlord statement that utilities are included in rent, or
 - (e) from the utility or fuel vendor, a signed statement or billing history;
- (6) account number at current address for the selected heating or cooling expense;
- (7) proof of crisis when the situation exists, such as a current disconnect notice, statement of non-delivery of bulk fuel or statement detailing the cost of initiating service;
- (8) proof of a life-threatening crisis when the situation exists, such as a current disconnect notice, statement of non-delivery of bulk fuel or statement detailing the cost of initiating service and a written or verbal statement from the applicant advising that the household faces an emergency which poses a threat to the health or safety of one or more members of the household;
- (9) proof of disability for at least one household member as determined by another public assistance or federal or state entity;
- (10) proof of emergency expenditures that apply to 8.150.520.18 NMAC; and
- (11) proof of the household's main fuel expense for the household's current residence, if applicant/recipient is not requesting LIHEAP for assistance with the main heating or cooling fuel source.

C. eligibility criteria: the household must meet the identity, social security number, income, citizenship, utility responsibility, and residency requirements.
 [7-1-95, 11-1-95, 11-15-96, 10-1-97, 10-15-98; 8.150.500.8 NMAC - Rn, 8 NMAC 22.LHP.501.11 & A, 10-1-01; A, 10-1-06; A, 10-1-07; A, 10-1-12; A, 10-1-15]

8.150.500.9 [Reserved]
 [7-1-95, 11-1-95, 11-15-96, 10-15-98, 10-1-00; 8.150.500.9 NMAC - Rn, 8 NMAC 22.LHP.501.12, 10-1-01; A, 10-1-06; Repealed 10-1-12]

8.150.500.10 [Reserved]
 [7-1-95, 11-1-95, 11-15-96, 10-15-98, 10-1-00; 8.150.500.10 NMAC - Rn, 8 NMAC 22.LHP.501.2 & A, 10-1-01; A, 10-1-05; A, 10-1-07; A, 4-1-10; Repealed, 10-1-12]

HISTORY OF 8.150.500 NMAC:

Pre-NMAC History: The material in this part was derived from that previously filed with the State Records Center and Archives:

- ISD 600.0000, Energy Assistance Programs, 11-12-82.
- ISD 600.0000, Low Income Energy Assistance Program, 1-9-84.
- ISD 710.0000, Energy Assistance Programs, 11-15-85.
- ISD 620.0000, Crisis Intervention Assistance, 11-12-82.
- ISD 620.0000, Energy Crisis Intervention Assistance, 12-27-83.
- ISD 714.0000, Energy Crisis Intervention, 11-20-85.
- ISD 630.0000, Program Administration, 11-12-82.
- ISD 630.0000, Program Administration, 12-27-83.
- ISD 715.0000, Administration of Energy Assistance Programs, 11-20-85.
- ISD FA 710, Energy Assistance Programs, 12-5-89.

ISD CAS 700, Energy Assistance Program, 11-13-91.

ISD CAS 700, Energy Assistance Program, 11-10-92.

ISD/CACB/LHP 700, Low Income Home Energy Assistance Program, 5-6-94.

ISD/CACB/LHP 700, Low Income Home Energy Assistance Program, 7-28-94.

History of Repealed Material: [RESERVED]