

216A.103 Iowa affordable heating program established.

1. The division shall establish an Iowa affordable heating program for the purpose of assisting low-income persons in paying for primary heating fuel costs.
2. In order to be eligible for participation in the Iowa affordable heating program, an applicant must meet all of the following requirements:
 - a. Meet the income guidelines established pursuant to the federal low-income home energy assistance program, with income at or below one hundred ten percent of the federal poverty income guidelines established by the office of management and budget. The division may adjust the income threshold by rule as necessitated by budgetary restrictions.
 - b. Participate in annual level payment plans for both gas and electric services if such plans are available to the participant. The division shall develop an alternative plan for participants whose energy providers do not provide such plans.
 - c. Participate in the weatherization assistance program, if eligible.
 - d. Have insufficient finances, as determined by rule, which prohibit the payment of the entire cost of the heating of the applicant's home.
 - e. Submit to the administering agency within thirty days of application for participation in the program third-party verification of all of the following:
 - (1) The gross income of all of the members of the applicant's household in accordance with the rules adopted for the low-income home energy assistance program.
 - (2) The applicant's unreimbursed medical expenses for the time period corresponding to that used for the income calculation with proof of personal responsibility for these expenses.
 - f. Participate in counseling, provided by the administering agency, regarding energy efficiency.
3. In determination of the amount of the affordable heating payment for which the participant is eligible, the following formula shall be used:
 - a. An annual adjusted income amount shall be calculated.
 - (1) To be eligible, an applicant must also apply and be eligible for participation in the low-income home energy assistance program. A participant's income shall be determined as the amount verified on a low-income home energy assistance program application.
 - (2) A participant's adjusted income shall be determined by subtracting from the verified income, the actual costs incurred for each of the following:
 - (a) Annual rental or mortgage payments, real estate taxes, and real estate insurance payments not to exceed a maximum established by division rule based on the statewide low-income housing cost average.
 - (b) Annual unreimbursed medical expenses, not to exceed two thousand four hundred dollars.
 - (c) Annual child support and alimony payments.
 - (d) The annual costs of water, basic local telephone, and nonheating electric services as defined by division

rule.

(e) Annual child care costs incurred by a participant due to employment or participation in an academic or job-training program.

b. A predicted heating cost shall be calculated.

(1) When applicable, the predicted heating costs shall be the annual total calculated under section 216A.103, subsection 2, paragraph "b", for level payment plans.

(2) Where subsection 3, paragraph "b", subparagraph (1) does not apply, the predicted heating cost shall be based upon, but is not limited to, primary heating fuel usage incurred during the twelve-month period immediately preceding application, first adjusted for weather and then adjusted for rate changes occurring during the twelve-month period immediately preceding application.

c. Following the calculation of the participant's adjusted income and predicted heating cost, the participant's adjusted heating cost shall be calculated by:

(1) Adding the predicted heating cost figure to any scheduled repayment of an arrearage which has been negotiated between the participant and the primary heating fuel provider. The arrearage shall not exceed three hundred dollars annually. Any remaining arrearage shall be considered in subsequent years.

(2) Subtracting from the figure determined under paragraph "b" the federal low-income home energy assistance program grant, if a grant is received.

d. The division shall promulgate rules to establish a standard percentage not to exceed twenty-five percent of household heating costs to adjusted income, taking into consideration household family size. For each participant, the administering agency shall determine the percentage of adjusted heating cost to adjusted income. If the participant's percentage exceeds the standard percentage, an affordable heating payment shall be made as prescribed by rule. The payment shall be made to the participant's primary heating fuel provider and credited to the participant's heating account for the year in which the participant is eligible.

(1) When offered by the primary heating fuel provider, the provider shall calculate or recalculate the participant's annual level payment plan after all forms of assistance are credited. A monthly level payment shall be established. However, each level payment shall not be less than a monthly minimum as established by division rule.

(2) Reconciliation shall occur as prescribed in the rules of the Iowa utilities board or, at a minimum, annually, for unregulated heating fuel providers.

4. A participant in the Iowa affordable heating program who maintains the monthly level payment shall be protected from disconnection of service by the participant's primary heating fuel provider.

5. The administrator shall adopt rules pursuant to chapter 17A which establish the criteria under which a participant in the Iowa affordable heating program would be determined ineligible for continued participation in the program. The criteria shall include but are not limited to a requirement that the participant maintains the monthly level payment in order to maintain eligibility in the program.

6. Any moneys appropriated for the Iowa affordable heating program which are not expended by April 30 of each fiscal year shall be used to fund the low-income energy assistance program.

C91, § 601K.103

92 Acts, ch 1087, §18

C93, § 216A.103