

LIHEAP APPEAL AND HEARING PROCEDURE

IOWA DEPARTMENT OF HEALTH AND HUMAN SERVICES COMMUNITY ACCESS and ELIGIBILITY DIVISION COMMUNITY ACTION AGENCIES SUB-DIVISION IOWA STATE LIHEAP OFFICE

LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM

An applicant may initiate an appeal if the application was denied, or incorrect facts or improper procedures were used to determine eligibility, assistance amounts, or services. The applicant has 30 calendar days from the date of the approval or denial letter to appeal that decision by mailing or delivering the request for appeal to the local Community Action Agency (CAA) at which the application was made.

If the CAA neither approves nor denies the application within 30 calendar days of receipt of a complete application, the applicant may treat the failure to act as a denial. The applicant then has 30 additional calendar days to appeal. To appeal, the applicant (claimant) must submit a written appeal to the CAA at which they applied, and include the action the applicant would like taken, and any other information which might affect the decision. Those claimants unable to read or write shall have the CAA assist them in reading, writing, or understanding appeals, hearings, and their associated procedures.

The CAA will act on the claimant's request and notify the claimant of the result in writing within seven calendar days of the date an appeal was requested (postmark date if sent in mail).

If the claimant does not agree with the decision reached, the claimant may write the CAA within 14 calendar days of the decision (postmark date if sent in mail) and request that a state hearing be held with the Iowa Department of Health & Human Services, Community Action Agencies Sub-division's, LIHEAP Program Manager. The claimant must explain in writing why the agency's decision is being appealed and include any information which might affect the decision.

The CAA will forward all information about the request for a hearing to the state LIHEAP office and a hearing will be scheduled within 14 calendar days of receipt of the appeal and request for a hearing. The claimant will receive written notice of a state scheduled hearing from the division. The notice will include the date, time, and place of the hearing. State hearings may be held in person, virtually or by telephone at a mutually convenient time. During the hearing, all information will be reviewed, and a decision will be rendered by the state LIHEAP office within 7 calendar days.

The client may appeal the decision of the state LIHEAP office to the Iowa Department of Inspection and Appeals (DIA). The client must submit a written appeal to the CAA Unit within 7 calendar days (postmark date if sent in mail) of receiving the division's decision. The division will follow the appeal procedures outlined in 481 – Chapter 10 of the Iowa Administrative Code.