



January 21, 2026

[REDACTED]

RE: [REDACTED] v. WVDoHS
ACTION NO.: 25-BOR-3517

Dear [REDACTED]

Enclosed is a copy of the decision resulting from the hearing held in the above-referenced matter.

In arriving at a decision, the State Hearing Officer is governed by the Public Welfare Laws of West Virginia and the rules and regulations established by the Department of Human Services. These same laws and regulations are used in all cases to ensure that all persons are treated alike.

You will find attached an explanation of possible actions you may take if you disagree with the decision reached in this matter.

Sincerely,

Eric L. Phillips
State Hearing Officer
Member, State Board of Review

Encl: Recourse to Hearing Decision
Form IG-BR-29

cc: Kristyne Hoskins, BFA

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**WEST VIRGINIA OFFICE OF INSPECTOR GENERAL
BOARD OF REVIEW**

[REDACTED]

Appellant,

v.

Action Number: 25-BOR-3517

**WEST VIRGINIA DEPARTMENT OF
HUMAN SERVICES
BUREAU FOR FAMILY ASSISTANCE,**

Respondent.

DECISION OF STATE HEARING OFFICER

INTRODUCTION

This is the decision of the State Hearing Officer resulting from a fair hearing for [REDACTED]. This hearing was held in accordance with the provisions found in Chapter 700 of the Office of Inspector General Common Chapters Manual. This fair hearing was convened on January 21, 2026, on an appeal filed with the Board of Review on December 29, 2025.

The matter before the Hearing Officer arises from the December 22, 2025 decision by the Respondent to deny Low Income Energy Assistance Program benefits.

At the hearing, the Respondent appeared by Kristyne Hoskins, Economic Service Worker Senior. The Appellant was self-represented. All witnesses were placed under oath and the following documents were admitted into evidence.

Department's Exhibits:

- D-1 Application for Low Income Energy Assistance Program dated December 10, 2025
- D-2 Notice of Decision dated December 22, 2025
- D-3 Case Comments dated December 19, 2025
- D-4 Application for Low Income Energy Assistance Program dated January 7, 2026
- D-5 Case Comments dated January 8, 2026

Appellant's Exhibits:

None

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After a review of the record, including testimony, exhibits, and stipulations admitted into evidence at the hearing, and after assessing the credibility of all witnesses and weighing the evidence in consideration of the same, the Hearing Officer sets forth the following Findings of Fact.

FINDINGS OF FACT

- 1) On December 10, 2025, the Appellant applied for the Low-Income Energy Assistance Program (LIEAP). (Exhibit D-1)
- 2) LIEAP assistance had not commenced receiving application for the program year.
- 3) On December 22, 2025, the Respondent issued a Notice of Decision (Exhibit D-2) informing the Appellant that her application had been denied because the LIEAP season for 2025 had ended. The notice documents that “LIEAP season should open at the beginning of the year. Please reapply then.”
- 4) The Appellant reapplied for LIEAP benefits on January 7, 2026 from a mass mailed application. (Exhibit D-4)
- 5) On January 8, 2026, the Respondent approved the LIEAP application issuing a \$280.00 payment to the Appellant’s electric bill. (Exhibit D-5)

APPLICABLE POLICY

West Virginia Income Maintenance Manual Chapter 21.3.1.E documents:

All eligible AGs are entitled to one Regular LIEAP, one Emergency Heating LIEAP, and one Emergency Cooling LIEAP payment per season only. Subsequent applications received from people who have already been found eligible for or who have received a Regular LIEAP payment in that season are denied.

DISCUSSION

The West Virginia Low-Income Energy Assistance Program (LIEAP) is a federally funded program which assists households with the cost of home heating. Applications, to those individuals who received LIEAP the prior season, were mailed on January 5, 2026. The Appellant applied for LIEAP benefits prior to the commencement of the program and her application was subsequently denied.

On December 10, 2025, the Appellant applied for LIEAP benefits for the 2026 LIEAP heating season. Because the Appellant applied for LIEAP benefits prior to the 2026 application period, the Respondent denied the application and informed the Appellant that the application period would open in the beginning of the 2026 calendar year.

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On January 7, 2026, the Appellant applied for LIEAP benefits for the 2026 period and was subsequently approved for a \$280.00 LIEAP benefit toward her electric utility. The Appellant is the resident of a senior living residence and inquired about submitting an additional LIEAP application.

Governing policy dictates that assistance groups are entitled to one regular LIEAP payment per season. Because the Appellant has applied for and been approved for a regular LIEAP payment, she is not entitled to an additional regular LIEAP payment.

CONCLUSIONS OF LAW

- 1) The application intake period for regular LIEAP commenced on January 5, 2026.
- 2) The Appellant applied for regular LIEAP on December 10, 2025, prior to the intake period.
- 3) The Respondent was correct to deny the Appellant's initial application.
- 4) The Appellant submitted a second application during the intake period and was approved for a \$280.00 payment towards her electric utility.
- 5) Governing policy mandates that assistance groups are entitled to one regular LIEAP benefits per season; therefore, the Appellant is not eligible for any additional regular LIEAP assistance.

DECISION

It is the decision of the State Hearing Officer to **uphold** the decision of the Respondent to deny the Appellant's application for LIEAP benefits prior to the application intake period.

ENTERED this _____ day of January 2026.

Eric L. Phillips
State Hearing Officer