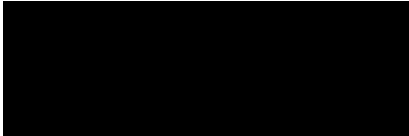




March 11, 2026



RE: [REDACTED] v. WVDoHS
ACTION NO.: 26-BOR-1359

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
Certified State Hearing Officer
Member, State Board of Review

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

cc: Kristyne Hoskins, BFA

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

[REDACTED]

Appellant,

v.

Action Number: 26-BOR-1359

**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 convened on March 11, 2026, on an appeal filed with the Board of Review on February 23, 2026.

The matter before the Hearing Officer arises from the February 19, 2026 decision by the Respondent to deny the Appellant's eligibility for the Low-Income Energy Assistance Program (LIEAP).

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 PATH Application for LIEAP dated January 9, 2026
- D-2 Case Comments dated January 19, 2025
- D-3 Verification Checklist dated January 21, 2026
- D-4 Case Comments dated February 18, 2026
- D-5 Screen Printout of Case File Search
- D-6 Notice of Decision dated February 19, 2026

Appellant's Exhibits:

None

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 January 9, 2026, the Appellant applied for LIEAP benefits for the 2026 heating season. (Exhibit D-1)
- 2) The Appellant documented natural gas as a utility cost. (Exhibit D-1)
- 3) The Appellant failed to document a heat source provider or account number on his application. (Exhibit D-1)
- 4) On January 21, 2026, the Department issued a Verification Checklist requesting the Appellant's account number for the requested utility in order to complete the application. The Department required the information be returned by February 4, 2026. (Exhibit D-3)
- 5) The Appellant failed to return an account number for the requested utility for LIEAP payment.
- 6) On February 18, 2026, the Department denied the Appellant's LIEAP application. (Exhibit D-5)
- 7) On February 19, 2026, the Department issued a notice to the Appellant advising him that his LIEAP application had been denied because he failed to provide a Public Service Commission regulated account number.

APPLICABLE POLICY

West Virginia Income Maintenance Manual Chapter 21.4.1 documents:

The LIEAP mail-out contains an application form (DFA-LIEAP-1), an instruction sheet (DFALIEAP-1a). It is mailed to any household which received LIEAP during the previous LIEAP season. These applications are mailed prior to the program start date. The client may choose to return the completed form and information by mail or complete it online by use of West Virginia WV PATH.

The process below outlines guidelines for submitting the application through WV PATH:

- The client receives certain information in the mail-out which must be entered online in order to complete the WV PATH process.
- WV PATH brings current basic demographic information from the eligibility system into the online application.
- No signature page is required, and the application is considered electronically signed when the client uses this process and enters information from the letter and other requested identifying information.
- The online process is available for use through the end of the Regular LIEAP season.
- When an application is received through WV PATH, the signature and identity is considered verified. The application is considered complete when all verification is received, in addition to the electronically signed application.

West Virginia Income Maintenance Manual 24.4.3 documents:

During the annual open application intake period, clients who did not receive a LIEAP mail-out application may apply for LIEAP at their local DOHS office or at any of the outreach location listed above. The application is also available and may be completed through WV PATH.

West Virginia Income Maintenance Manual 24.4.5 documents:

The Worker's responsibilities are to:

- Process the application in the eligibility system;
- Determine if case has previous unpaid repayment;
- Determine eligibility;
- Determine the amount of the payment; and,
- Notify the client of the action taken.

When the Low-Income Energy Assistance Program (LIEAP) client wishes to apply for another program in addition to LIEAP, the DFA-2 may be used instead of the DFA-LIEAP-1 form to prevent the need to complete two application forms. Otherwise, the DFA-LIEAP-1 must be completed for all LIEAP clients.

In order to maintain controls for receiving, processing and completing follow-up on application to ensure checks are issued, the local office must retain a LIEAP application register or log that indicates, at a minimum, the client's name, how and when the application was received (e.g., mail, office visit or from another agency) and if the application is for Regular or Emergency LIEAP. The DFA-LIEAP-6 form may be used for this purpose.

West Virginia Income Maintenance Manual 1.2.1.A documents:

In addition to addressing all questions and concerns the client may have, the Worker must explain the benefits of each program and inform the client of his right to apply for any or all of them.

No person is denied the right to apply for any Program administered by the Division of Family Assistance (DFA) or the Bureau for Medical Services (BMS). Every person must be afforded the opportunity to apply for all Programs on the date he expresses his interest.

Certain programs, such as Children with Disabilities Community Service Program (CDCSP), Intellectual and Developmental Disabilities (I/DD) Waiver, Aged and Disabled Waiver (ADW) and Traumatic Brain Injury (TBI) Waiver, require a medical and/or other determination by a community agency or government division other than the DFA and a financial determination by an Income Maintenance Worker. When an applicant's medical eligibility for, or enrollment in, such programs is pending, he must not be refused the right to apply, but must be evaluated for any or all Department programs.

When it is not feasible for the applicant to be interviewed, if an interview is required or requested, on the date he expresses his interest, he must be allowed to complete the process at a later date. An appointment may be scheduled for his return, or the client may return at his convenience, depending upon the procedure established by the Community Services Manager (CSM). The same procedure must be used for all applicants within the county. If a follow-up appointment is scheduled and the applicant appears for the interview at the scheduled time, he must be seen on that day and not be required to return again to complete the application process.

West Virginia Income Maintenance Manual Chapter 21.3.1.F documents:

The customer must provide a copy of their electric bill, the bill of their main heating/cooling source and the name of their heating vendor at the time of application or within 15 calendar days following the date the information is requested. A list of Public Service Commission (PSC)- regulated utility vendors is provided in Appendix B. Customers of vendors not listed must be issued a direct payment. If the utility has been verified in the last 2 months and the client number on the application matches what has been previously verified, no additional verification is needed.

DISCUSSION

On February 23, 2026, the Appellant requested this appeal contesting the denial of his application for the Low-Income Energy Assistance Program (LIEAP). The Respondent must prove by a preponderance of the evidence that it correctly denied the Appellant's LIEAP application.

On January 9, 2026, the Appellant applied for LIEAP benefits indicating natural gas as a utility

cost. On the application, the Appellant failed to indicate a utility company or an account number for a LIEAP payment to be issued. On January 21, 2026, the Appellant issued a verification checklist, affording the Appellant until February 4, 2026, to provide a copy of a Public Service Commission regulated utility account number for a LIEAP payment to be issued. The Appellant failed to provide the account number. Therefore, on February 19, 2026, the Department issued notice to the Appellant informing him of the denial of his LIEAP application.

The Appellant avers that he provided the Department the requested information electronically and received confirmation of the transaction. The Appellant testified that the lack of LIEAP benefits will place an undue financial burden upon his household.

Governing policy mandates that a customer must provide the bill of their main heating/cooling source and the name of their heating vendor at the time of application or within 15 calendar days following the date the information is requested. While the Appellant maintains that he provided the account number electronically and received confirmation of transaction, he failed to provide evidence to corroborate his claim. Based on an evidentiary review, the Appellant failed to provide an account number to complete his application for LIEAP benefits. Therefore, the Department's decision to deny the Appellant's incomplete LIEAP application is affirmed.

CONCLUSIONS OF LAW

- 1) Governing policy mandates that a customer must provide a copy of their main heating source and account number within 15 days calendars in which the information is requested.
- 2) On January 21, 2026, the Department requested additional information concerning the Appellant's utility account number and utility vendor to be provided by February 4, 2026.
- 3) The Appellant failed to provide information concerning his utility account number; therefore, his application was incomplete.
- 4) The Department was correct in its decision to deny the Appellant's application for LIEAP benefits.

DECISION

It is the decision of the State Hearing Officer to **UPHOLD** the decision of the Department to deny the Appellant's application for LIEAP benefits.

ENTERED this ____ day of March 2026.

Eric L. Phillips
State Hearing Officer