

# LIHEAP Performance Measures Data Collection Guide

## Supplement: Energy Vendor Agreements

### OVERVIEW

**What is the purpose of having language in the energy vendor agreement that allows for data collection and data sharing?**

- Enables data exchange between LIHEAP and the client's utility/vendor
- Sets timeframe and method for data exchange
- Protects utility from disclosure liability
- Ensures client confidentiality

**What type of data is shared and what is the data used for?**

- Data collection – See the LIHEAP Performance Measures Data Collection Guide: [https://liheappm.acf.hhs.gov/sites/default/files/private/training/pm\\_webinar/PM\\_data\\_collection\\_guide.pdf](https://liheappm.acf.hhs.gov/sites/default/files/private/training/pm_webinar/PM_data_collection_guide.pdf)
- Required reporting on the annual *LIHEAP Performance Data Form* – Module 2 (Performance Measures)

**What do I need to include in my vendor agreement for the purpose of data collection and sharing?**

**Language relating to:**

- Sharing of heating fuel and electricity cost data
- Disconnect prevention or restoration of service
- Timeline for data collection
- Method of data exchange
- How the agency uses the data
- Client confidentiality
- Utility disclosure liability waiver

### SPECIAL CONSIDERATIONS

Vendor agreements may have existing language that includes all of the bulleted points above or may include some of the above and need further language inserted to address all concerns for data exchange.

## EXAMPLES

**Example 1: Pennsylvania's agreement includes annual heating usage and cost, reason for data exchange, timeframe for data exchange and client confidentiality language. Crisis payments are entered into a web-based program so the LIHEAP agency knows if the crisis payment prevented disconnection or restored service.**

*The vendor agrees to cooperate with the following conditions in order to receive energy assistance payments through the Commonwealth of Pennsylvania:*

1. *To cooperate with the Department of Human Services (DHS) by providing all requested information established in DHS policies and procedures including information on the annual heating usage and cost incurred by LIHEAP households necessary for*
  - a) *Compliance with federal reporting requirements. Upon request, vendors will provide the total annual cost of a LIHEAP household's energy consumption for the previous season (10/1 – 9/30) if this information is gathered by customer name or account number.*
  - b) *The submission of Crisis claims. Crisis claims must be processed within 30 calendar days of the date a crisis benefit was authorized. Exceptions may be granted for claims entered on or after the 31st day and up to 30 days after the close of the LIHEAP season if funds are available.*
    1. *Processing claims requires data entry into a web-based program and submission of documentation (proof of delivery, pick up or utility termination notice).*
    2. *Documentation must be sent to the appropriate agency, as designated by DHS, via mail, fax or electronic upload.*

*Vendors that accept crisis payments based on utility termination notices or based on reconnection of utility service must agree to maintain ongoing utility service to such households for no less than 30 calendar days from the date of the resolution of the crisis. With regard to crisis payments made pursuant to any grants approved during the Public Utility Commission winter termination procedure referred to in §601.62(2) (ii)(A) of Appendix B of the LIHEAP State Plan, the earliest allowable termination date is 30 days following the resolution of the crisis or May 1, whichever is later.*

2. *To ensure the retention of LIHEAP customer confidentiality in the use of social media.*

**Example 2: In addition to data sharing, Alaska's vendor agreement includes language that assures the LIHEAP benefit prevented disconnection and provides for client confidentiality.**

*As authorized by the client's Heating Assistance Application for benefits, the Vendor shall provide, at no cost to HAP or the client, and within a timeframe specified by the Alaska HAP, a record of annual energy consumption in dollars and units of fuel/product, payment frequency, disconnection information, and arrearage amounts for the 12 month period of July to June. If the client has been a customer for less than 12 months, the Vendor will provide HAP with the*

*requested data and notify HAP about the number of months that the data supports.*

*Vendor agrees not to disconnect service for at least 30 days after receiving any payment or verification of payment from the State of Alaska Heating Assistance Program.*

- *The vendor agrees that all employees that have access to client information are required to sign a confidentiality statement (see statement here: [https://liheapch.acf.hhs.gov/docs/AK\\_confidentiality\\_agree.docx](https://liheapch.acf.hhs.gov/docs/AK_confidentiality_agree.docx))*

**Some vendor agreements have additional language that goes beyond what is required for data sharing and client confidentiality:**

**Example 3: Massachusetts' vendor agreement stipulates collection of heating fuel and electric cost data, provides a timeline for data collection, describes how the agency will use the data and contains language for sharing data before and after weatherization services are provided.**

- *Provide, at no cost to the Certified Customers, the Agency, DHCD, or their designees, the primary and secondary fuel and electricity data for Certified Customers, including the customer specific general energy usage data for the past 12 months collected by the Vendor. This may also include confidential information, pre- and post-weatherization services, if the Certified Customer had an arrearage and the amount, if the Certified Customer was enrolled in and/or successfully completed an arrearage forgiveness program, if the Certified Customer received at least one shut off notice or had their service shut off. The Vendor shall provide this data to the Agency and/or DHCD in a secured and timely manner, pursuant to the guidance issued by DHCD. This data may be used for a variety of program purposes including: Program planning, program capacity building, assessing the impact of LIHEAP and other home energy related benefits on low-income households and households with high energy burdens, and supporting funding decisions.*
- *As authorized by the Certified Customer in his/her application for LIHEAP benefits, if requested by the Agency, the Vendor, at no cost to the Agency, shall provide, within a time frame specified by the Agency, a record of annual energy consumption, energy cost, payment frequency, disconnection information, and arrearage amounts for Certified Customers.*

**Additional Examples of Vendor Agreements:** <https://liheapch.acf.hhs.gov/admin/contracts.htm>

Supplemental Resources	
<a href="#">Performance Measures Data Collection Guide</a>	<a href="#">Client Waiver Supplement</a>
<a href="#">Vendor Selection Supplement</a>	<a href="#">Subgrantee Data Exchange Templates</a>
<a href="#">Vendor Data Exchange Templates</a>	<a href="#">Criteria for Determining "At-Risk" Clients</a>
<a href="#">Criteria for Determining Service Restoration</a>	<a href="#">LIHEAP Performance Management Website</a>