

**CHAPTER 69B****LIFELINE CREDIT PROGRAM/TENANTS LIFELINE ASSISTANCE PROGRAM MANUAL****Authority**

N.J.S.A. 48:2-29.15 et seq. and 48:2-29.31 et seq.

**Source and Effective Date**

R.1993 d.586, effective October 21, 1993.  
See: 25 N.J.R. 3701(a), 25 N.J.R. 5167(b).

**Executive Order No. 66(1978) Expiration Date**

Chapter 69B, Lifeline Credit Program/Tenants Lifeline Assistance Program Manual, expires on October 21, 1998.

**Chapter Historical Note**

All provisions of this chapter were adopted pursuant to authority of N.J.S.A. 48:2-29.15 et seq., N.J.S.A. 48:2-29.31 et seq. and became effective November 21, 1983 as R.1983 d.524. See: 15 N.J.R. 1227(a), 15 N.J.R. 1944(b).

1988 Revisions: This chapter was readopted pursuant to Executive Order No. 66(1978) effective November 21, 1988 with amendments effective December 19, 1988 as R.1988 d.575. See: 20 N.J.R. 2440(a), 20 N.J.R. 3153(a).

Pursuant to Executive Order No. 66(1978), Chapter 69B was readopted as R.1993 d.586. See: Source and Effective Date. See, also, section annotations for specific rulemaking activity.

**CHAPTER TABLE OF CONTENTS****SUBCHAPTER 1. LIFELINE CREDIT PROGRAM/TENANTS LIFELINE ASSISTANCE PROGRAM**

- 10:69B-1.1 Purpose and intent
- 10:69B-1.2 Legal authority
- 10:69B-1.3 Definitions
- 10:69B-1.4 Lifeline Credit/Tenants Lifeline Assistance payment

**SUBCHAPTER 2. ADMINISTRATIVE ORGANIZATION**

- 10:69B-2.1 Department of Human Services
- 10:69B-2.2 Division of Medical Assistance and Health Services
- 10:69B-2.3 Bureau of Lifeline Programs
- 10:69B-2.4 Agency controls
- 10:69B-2.5 Responsibilities of the utility companies
- 10:69B-2.6 Confidentiality and disclosure of information

**SUBCHAPTER 3. APPLICATION PROCESS**

- 10:69B-3.1 General provisions
- 10:69B-3.2 Authorized agent
- 10:69B-3.3 Responsibilities in the application process

**SUBCHAPTER 4. ELIGIBILITY**

- 10:69B-4.1 Eligibility requirements
- 10:69B-4.2 Income standards
- 10:69B-4.3 Residency requirement
- 10:69B-4.4 Age
- 10:69B-4.5 Citizenship
- 10:69B-4.6 Disability
- 10:69B-4.7 Utility information
- 10:69B-4.8 Lifeline eligibility applications
- 10:69B-4.9 Social Security Account Number

- 10:69B-4.10 Certification
- 10:69B-4.11 Authorization
- 10:69B-4.12 Eligibility period
- 10:69B-4.13 Appeal process

**SUBCHAPTER 5. RECOVERIES**

- 10:69B-5.1 Benefits incorrectly paid

**SUBCHAPTER 1. LIFELINE CREDIT PROGRAM/TENANTS LIFELINE ASSISTANCE PROGRAM****10:69B-1.1 Purpose and intent**

(a) The intent of the Lifeline Credit Program is to provide a minimum supply of gas and electricity for heating, lighting, cooling, cooking, and other essential household usages, which have been determined to be necessities of life, to those residential utility customers whose level of income and age or physical disability make it difficult to meet the extraordinary and unprecedented energy costs which have been experienced in recent years.

(b) The intent of the Tenants Lifeline Assistance Program is to afford assistance to residents who, by virtue of their level of income and age or physical disability, would be eligible for the Lifeline Credit Program; but because of their living accommodations (their utility costs are included as part of the rental), they do not receive an individual utility bill, and are therefore, ineligible for the Lifeline Credit Program, but who are nonetheless deserving of financial relief from burdensome energy costs.

**10:69B-1.2 Legal authority**

(a) The New Jersey Lifeline Credit Program was established by P.L. 1979, Chapter 197, as amended and supplemented, N.J.S.A. 48:2-29.15 et seq.

(b) The New Jersey Tenants Lifeline Assistance Program was established by P.L. 1981, Chapter 210, as it amends and supplements P.L. 1979, Chapter 197, N.J.S.A. 48:2-29.31 et seq.

**10:69B-1.3 Definitions**

The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise.

“Annual income” means all income from whatever source derived, actually received or anticipated.

“Anticipated income” means the amount of income the applicant can reasonably be expected to receive during the calendar year.

“Applicant” means an individual who applies for the Lifeline benefit either personally or through an authorized agent.

“Authorized agent” means a person who initiates the Lifeline application for a person who is incompetent or incapable of filing the Lifeline application on his/her behalf.

“Beneficiary” means an individual who has been found eligible for Lifeline benefit.

“Calendar year” means a year beginning January 1 and ending on December 31. It is the base period utilized to determine annual income and Lifeline eligibility.

“Electric utility” means every New Jersey public utility which provides residential electric service, as defined in this section, and is regulated by and subject to the jurisdiction of the Board of Regulatory Commissioners. Additionally, any municipality or other governmental entity providing residential electric service, as defined in this section, within the State of New Jersey, shall be deemed an electric utility for the limited purposes of this program.

“Gas utility” means every New Jersey public utility which provides residential gas service, as defined in this section, and is regulated by and subject to the jurisdiction of the Board of Regulatory Commissioners. Additionally, any municipality or other governmental entity providing residential gas service, as defined in this section, within the State of New Jersey, shall be deemed a gas utility for the limited purposes of this program.

“Heating season” means the months from October of one year to March of the following year, when utility use increases to meet the consumer demand for heat.

“Household” means all individuals who occupy one or more rooms which constitute separate and distinct living quarters.

“Lifeline” means the Lifeline Credit Program and/or the Tenants Lifeline Assistance Program.

“Lifeline Credit” means a benefit in the form of a credit in an amount established by law made to the utility accounts of an individual who has been determined to be eligible for the Lifeline Credit Program.

“Previous year” means the calendar year preceding the year in which the person is applying or reapplying for Lifeline. For example, 1982 is the “previous year” when referring to an application which is dated between January 1, 1983 through December 31, 1983.

1. If a person who is required to submit a Federal, State and/or City Income Tax return applies for Lifeline at the beginning of a calendar year but has not yet filed an income tax return for the previous year, the year preceding the previous year is considered to be the last or “previous year” when completing the Lifeline application.

“Resident” means one legally domiciled within the State of New Jersey for a period of 30 days immediately preceding the date of application for inclusion in the Program. Mere seasonal or temporary residence within the State, of whatever duration, does not constitute domicile.

“Residential electric service” means electricity supplied by an electric utility, for domestic purposes, through an individual meter to a dwelling unit defined as residential by the individual tariff of the servicing utility.

“Residential gas service” means gas supplied by a gas utility, for domestic purposes, through an individual meter to a dwelling unit defined as residential by the individual tariff of the servicing utility.

“Residential utility customer” means that individual whose name appears on the servicing utility’s records and is responsible for payment of the cost of the utilities.

“Tenant” means an individual who is renting or leasing real property as his/her principal residence, which includes but is not limited to apartments, mobile home park sites, residential shareholders in non-profit residential cooperatives or mutual housing corporations, owners of condominiums, or persons who are boarding.

“Tenants Assistance payment” means a benefit in the form of a check in an amount established by law which is issued to an individual who has been determined to be eligible for the Tenants Lifeline Assistance Program.

“Termination of service” means the notification by the residential utility customer to the servicing utility that the residential utility service is to be discontinued.

“Transferable credit” occurs when a customer moves from one principal residence to another principal residence within the service territory of the same electric and/or gas utility.

“Unused Lifeline Credit” means any portion of the Lifeline Credit not applied against an eligible Lifeline beneficiary’s utility bill upon the termination of residential electric and/or gas service.

Amended by R.1988 d.575, effective December 19, 1988.

See: 20 N.J.R. 2440(a), 20 N.J.R. 3153(a).

Amended definitions “applicant”, “beneficiary”, “Lifeline Credit” and “Resident”.

Amended by R.1993 d.586, effective November 15, 1993.

See: 25 N.J.R. 3701(a), 25 N.J.R. 5167(b).

#### **10:69B-1.4 Lifeline Credit/Tenants Lifeline Assistance payment**

(a) The Lifeline Credit shall consist of a single amount established by law, which will be applied, on a yearly basis, to the electric and/or gas utility bills of an eligible residential customer. Only one credit per year is allowed per household, regardless of the number of eligible residential utility customers living in that household.

**10:69B-3.2 Authorized agent**

(a) In those instances where the applicant is incompetent or incapable of filing a Lifeline eligibility application on his/her own behalf, the Division shall recognize any of the following persons listed in order of priority, as an authorized agent for the purpose of initiating such application:

1. A close relative by blood or marriage; such as, parent, spouse, son, daughter, brother or sister;
2. A representative payee designated by the Social Security Administration;
3. A staff member of a public or private social service agency, of which the person is a client, who has been designated by the client to so act;
4. A friend.

**10:69B-3.3 Responsibilities in the application process**

(a) Pursuant to statutory authority the Department of Human Services through the Division of Medical Assistance and Health Services, Bureau of Lifeline Programs, establishes procedures on the application process consistent with law and supervises the operation with the policy and procedures so established.

(b) The Bureau of Lifeline Programs has responsibility in the application process to:

1. Explain the purposes and eligibility requirements of the program and indicate the applicant's rights and responsibilities under its provisions;
2. Process applications;
3. Certify to the Treasurer, State of New Jersey, the names of eligible tenants;
4. Notify the utility company(ies) of eligible applicants and the amount of credit to be applied to their accounts;
5. Microfilm eligibility applications and supporting documents and retain microfilm for audit purposes.

(c) The applicant has the responsibility to:

1. Complete the Lifeline eligibility application form truthfully, legibly and accurately.
  - i. All application questions must be fully answered.
  - ii. All necessary documentation of eligibility must be submitted to the Lifeline Program.
  - iii. Read the certification and authorization and sign (or mark) the application.
  - iv. Obtain the signature (or mark) of the spouse (if married) and the signature of the preparer (if applicable) on the application.
2. Assist the Division of Medical Assistance and Health Services in obtaining documentation that supports his/her statements, when required.

3. Agree to a review by the Division's Bureau of Quality Control staff. Lifeline eligibility may be terminated and benefits recovered if the beneficiary refuses to cooperate with a quality control review.

(d) The beneficiary has the responsibility to notify the Bureau of Lifeline Programs whenever one of the following occurs:

1. He/she moves out of the State of New Jersey.
2. His/her or their annual income increases to an amount which exceeds the eligibility limit.
3. His/her marital status changes.
4. He/she moves anywhere within the State of New Jersey.
5. He/she is determined to be ineligible for continued Social Security Disability benefits.

(e) The beneficiary has the responsibility to repay the State of New Jersey, upon request, for the cost of benefits incorrectly paid on his/her behalf.

**SUBCHAPTER 4. ELIGIBILITY****10:69B-4.1 Eligibility requirements**

(a) To be eligible for the Lifeline Credit Program an individual must be a resident and the residential utility customer or the spouse of a residential utility customer and on July 1st of each year or during the succeeding six months satisfy one of the following criteria:

1. Be a Pharmaceutical Assistance to the Aged and Disabled beneficiary or determined to be eligible for PAAD benefits; or
2. Meet the residency, income, and age or disability requirements of the PAAD Program but apply for Lifeline Credit only. (See N.J.A.C. 10:69B-4.8(b)).

(b) When an individual is not a residential utility customer but is a tenant, as defined in N.J.A.C. 10:69B-1.3, who has the cost of utilities included in his/her monthly rental and on July 1st or during the succeeding six months, the individual meets the eligibility requirements as outlined in N.J.A.C. 10:69B-4.1(a)1-2, the individual is eligible to receive benefits from the Tenants Lifeline Assistance Program.

Amended by R.1988 d.575, effective December 7, 1988.  
See: 20 N.J.R. 2440(a), 20 N.J.R. 3153(a).

Added "B" to cross reference citation 10:69"B"-1.3.

**10:69B-4.2 Income standards**

(a) Any single permanent resident of New Jersey who is 65 years of age or over or who is under 65 and over 18 years

of age and is receiving Social Security Title II disability benefits must have an annual income of less than \$17,056 to be eligible for Lifeline.

(b) Any married permanent resident of New Jersey who is 65 years of age or over or who is under 65 and over 18 years of age and is receiving Social Security Title II disability benefits must have a combined (applicant and spouse) annual income of less than \$20,913 to be eligible for Lifeline.

1. An applicant and spouse shall be considered separated when each maintains a separate residence and the applicant does not have access to or receive support from the spouse's income.

2. An applicant and spouse shall be considered separated when the spouse has been institutionalized in a long-term care facility, either skilled or intermediate, or in a State or county psychiatric hospital at least 30 consecutive days prior to application.

(c) All income, from whatever source derived, is considered when determining eligibility for Lifeline.

1. Examples of possible sources of income, (gross amounts unless otherwise noted), are as follows:

- i. Salaries;
- ii. Wages;
- iii. Bonuses;
- iv. Commissions;
- v. Fees;
- vi. Dividends;
- vii. Interest;
- viii. Capital gains;
- ix. Royalties;
- x. Bequests;
- xi. Support payments;
- xii. Unemployment benefits;
- xiii. Pensions (including Social Security);
- xiv. Annuities;
- xv. Retirement benefits;
- xvi. Business income (net).

2. Sources of income which are excluded in determining eligibility for Lifeline are as follows:

- i. Benefits received under the New Jersey State Homestead Rebates;
- ii. Proceeds from spouse's life insurance.

(d) Upon request by the Division of Medical Assistance and Health Services, the applicant must be able to document the amounts reported on the eligibility application, and will be required to submit photocopies of his/her Federal, State and/or City income tax return and other acceptable evidence.

(e) Lifeline Credit/Tenants Lifeline Assistance eligibility is conferred based upon annual income for the current calendar year, which is estimated at the time of application. Previous year income information is used as a gauge and supplements estimates of current income to determine current eligibility. However, if previous income exceeds the standard, but current year income is expected to fall within legal limits, an initial applicant may estimate current year income for the purpose of establishing Lifeline eligibility.

(f) Since Lifeline eligibility is based upon actual annual income, if the actual annual income for the current calendar year exceeds the Lifeline income standard, the person will become ineligible for the entire calendar year.

(g) The Bureau of Lifeline Programs shall take necessary action to recover the full amount of payments made on behalf of beneficiaries during an ineligible period, when appropriate.

(h) Lifeline beneficiaries are required to notify the Bureau of Lifeline Programs immediately if their current year income exceeds the established income standard.

(i) Beginning January 1, 1996 and annually thereafter, the income eligibility limits shall increase by the amount of the maximum Social Security benefit cost-of-living increase for that year for single and married persons respectively, in accordance with 42 U.S.C. 415(i)(2)(D), incorporated herein by reference. The Commissioner shall publish the new income limits annually in the New Jersey Register.

Amended by R.1988 d.575, effective December 19, 1988.  
See: 20 N.J.R. 2440(a), 20 N.J.R. 3153(a).

(a): annual income raised from "\$12,000" to "\$13,650"; and in (b) annual income raised from "\$15,000" to "\$16,750".

Amended by R.1991 d.563, effective November 18, 1991.  
See: 23 N.J.R. 2623(a), 23 N.J.R. 3514(a).

Income eligibility revised upwards.  
Amended by R.1993 d.608, effective December 6, 1993.  
See: 25 N.J.R. 3407(a), 25 N.J.R. 5528(b).

Amended by R.1996 d.7, effective January 2, 1996.  
See: 27 N.J.R. 3541(a), 28 N.J.R. 184(c).

In (a) and (b) increased income limits, and added (i).  
Administrative Change.  
See: 28 N.J.R. 3597(a).

In (a) and (b) increased income limits.

### 10:69B-4.3 Residency requirement

(a) The term resident shall be interpreted to mean a person having his customary place of abode in New Jersey. (See N.J.A.C. 10:69B-1.3, Definitions).

1. Motor Vehicle records (for example, valid driver's license);
2. Landlord's records and rent receipts;
3. Public utility records and receipts (for example, electric bill);
4. Personal property assessment records;
5. Records of professional people or businesses (for example, doctors, department stores, etc.);
6. Post office records;
7. Records of social agencies, public or private;
8. Employment records.

(c) Determination as to continued New Jersey residence of a person absent from this State shall be based upon contact with the applicant by a representative of the Division of Medical Assistance and Health Services.

(d) In determining the continued New Jersey residence of an absentee, the issue is whether the individual intends to return to New Jersey or remain indefinitely in the other jurisdiction. If a Lifeline beneficiary leaves New Jersey with the intent to establish a principal residence elsewhere, the beneficiary becomes ineligible for benefits and must immediately notify the Bureau of Lifeline Programs of the change of address.

Amended by R.1988 d.575, effective December 19, 1988.  
See: 20 N.J.R. 2440(a), 20 N.J.R. 3153(a).

Deleted (b)2 and renumbered (b)3-9 as 2-8.

#### 10:69B-4.4 Age

(a) The Lifeline applicant who is 65 years of age or older must be able to document his/her age upon request of the Division of Medical Assistance and Health Services. The applicant must submit a copy of one of the following acceptable proofs of age:

1. Birth certificate;
2. Baptismal certificate;
3. Bris certificate;
4. Social Security form number 2458 (can be obtained from the local Social Security office);
5. Railroad Retirement letter (can be obtained from the Railroad Retirement Board); or
6. Third Party Query Form (can be obtained from the local Social Security office).

(b) If the applicant cannot supply a copy of one of the proofs of age listed in (a)1-6 above, the applicant must submit copies of any two of the following acceptable proofs of age:

1. Insurance policy;

2. Driver's license;
3. School record;
4. State or Federal census record;
5. Bible or other family record;
6. Church record of Baptism (age five or after);
7. Confirmation certificate;
8. Marriage record;
9. Employment record;
10. Union record;
11. Military record;
12. Voting record;
13. Delayed birth certificate;
14. Applicant's child's birth certificate;
15. Physician's or midwife's record of applicant's birth;
16. Immigration record;
17. Naturalization record;
18. Passport.

Amended by R.1988 d.575, effective December 19, 1988.  
See: 20 N.J.R. 2440(a), 20 N.J.R. 3153(a).

Added text in (a)5 "can be obtained . . ."; added (a)6.

#### 10:69B-4.5 Citizenship

The Lifeline applicant is not required to be a citizen of the United States in order to be eligible for the Lifeline Credit Program/Tenants Lifeline Assistance Program.

#### 10:69B-4.6 Disability

(a) The Lifeline applicant who is under 65 and over age 18 and receiving Social Security Title II Disability benefits must be able to document his/her Social Security disability determination upon request of the Division of Medical Assistance and Health Services. The applicant must submit a copy of one of the following documents:

1. Social Security Award Certification (SSA-L30) issued by the Social Security Administration within the last six months of application; or
2. Report of Confidential Social Security Beneficiary Information (SSA-2458).

Amended by R.1988 d.575, effective December 19, 1988.  
See: 20 N.J.R. 2440(a), 20 N.J.R. 3153(a).

Deleted (a)1 and renumbered (a)2 and 3 as (a)1 and 2.

#### 10:69B-4.7 Utility information

(a) A residential utility customer shall submit documentation of his/her utility account(s) to the Division of Medical Assistance and Health Services before a Lifeline Credit will be applied to his/her account.

1. A residential utility customer shall submit a copy of his/her most recent electric and/or gas bill or statement. The utility statement must be made out in the applicant's or spouse's name.

(b) When an applicant is a tenant and the utility costs are included in the monthly rental, the applicant shall submit the name and address of his/her landlord.

#### 10:69B-4.8 Lifeline eligibility applications

(a) The Bureau of Lifeline Programs shall mail a Lifeline Application (LL-1) to all PAAD, Medical Assistance to the Aged, Medicaid Only beneficiaries and New Jersey Care . . . Special Medicaid Programs, except for those residing in nursing facilities, that are eligible at any time between July 1 and December 31, of the current year.

(b) When an individual meets the residency, income, age or disability requirements of the PAAD Program and is not an SSI beneficiary and wishes to apply for Lifeline only, the individual shall complete the Lifeline Eligibility Application Form LL-3. The LL-3 must be submitted to the Bureau of Lifeline Programs on or before March 15 of the year following the year of the current eligibility period. For example, March 15, 1992, would be the deadline for submission for the eligibility period of July 1, 1991 through December 31, 1991. The submission date shall be determined by the postmark on the Lifeline Eligibility Application envelope.

(c) For those Lifeline recipients who met the qualifications for Lifeline Only in the previous year and received benefits, a preprinted form (LL-2) will be sent to them. The LL-2 form obviates the need for an applicant to again prove residency and/or age.

(d) When the Bureau of Lifeline Programs receives the completed application forms, either LL-1, LL-2 or LL-3, the Bureau will determine whether the beneficiary is eligible for Lifeline Credit or Tenants Lifeline Assistance and authorize credit/payment accordingly.

Amended by R.1988 d.575, effective December 19, 1988.  
See: 20 N.J.R. 2440(a), 20 N.J.R. 3153(a).

Added new (c) and renumbered old (c) to (d); added "LL-2" to (d).  
Amended by R.1992 d.48, effective February 3, 1992.  
See: 23 N.J.R. 3267(a), 24 N.J.R. 466(a).

Extended filing deadlines from January 31 to March 15.

#### 10:69B-4.9 Social Security Account Number

(a) Each applicant for the Lifeline benefit must include his/her Social Security Account Number (SSAN) on the application form. The SSAN, a unique and verifiable number, is utilized to differentiate between persons with the same name. Married persons must also indicate the SSAN of their spouse.

(b) In the event that the applicant does not have a SSAN, a unique identifying number will be assigned by the Bureau of Lifeline Programs. This number will be used to uniquely identify the Lifeline beneficiary.

Amended by R.1988 d.575, effective December 19, 1988.  
See: 20 N.J.R. 2440(a), 20 N.J.R. 3153(a).  
Added "benefit".

#### 10:69B-4.10 Certification

The applicant for Lifeline benefits must certify that all answers to the questions and items on the application forms, LL-1, LL-2 and LL-3, are true and accurate to the best of his/her knowledge. This certification must be dated, signed (or marked) by the applicant and spouse (if married), and the preparer of the form (if other than the applicant), before the application can be processed.

Amended by R.1988 d.575, effective December 19, 1988.  
See: 20 N.J.R. 2440(a), 20 N.J.R. 3153(a).  
Added "LL-2".

#### 10:69B-4.11 Authorization

(a) By signing/marketing the certification and authorization statement on the application form, the applicant authorizes:

1. The Division of Medical Assistance and Health Services to verify any information on the form by contacting the Social Security Administration, the Internal Revenue Service, the New Jersey Division of Taxation, employers and others as the need arises; and

2. Visitation and review by representatives of the Division's Bureau of Quality Control.

#### 10:69B-4.12 Eligibility period

A Lifeline Credit shall be applied to the account(s) of a residential utility customer and remain on the account until it is used or the account is terminated. (See N.J.A.C. 10:69B-1.4).

#### 10:69B-4.13 Appeal process

(a) When the Bureau of Lifeline Programs determines that an applicant is ineligible for benefits, the applicant has the right to appeal the decision by submitting a written request for a fair hearing to the Bureau of Lifeline Programs, Division of Medical Assistance and Health Services, New Jersey Department of Human Services, CN 714, Trenton, New Jersey 08625-0714, within 20 calendar days from the date of mailing of the notice of ineligibility. The document must clearly state the valid basis for such a request.

(b) The Bureau of Lifeline Programs will forward the hearing request to the Office of Administrative Law which will schedule the hearing and notify all parties of the date, time and location.