

PROTECTING **ELECTRIC UTILITY ACCESS** FOR THOSE WITH **SERIOUS MEDICAL CONDITIONS**

Customers who have a serious medical need for any utility (such as needing electricity for a ventilator), can submit a Serious Medical Condition Certification Form to the utility company to keep service from being shut off, even when the bill hasn't been paid.



HERE ARE SOME IMPORTANT THINGS TO KNOW:

- **Submitting the form does not discharge the past-due balance, reduce the bill amount, or lower the overall price of electricity.** It merely alerts the utility company that someone living in the home has a serious health condition that would be impacted by disconnection of service and permits two 30-day delays to catch-up on the bill.
- Those with serious medical conditions should **keep a form on file with the utility company and renew it every 12 months** as long as the condition persists rather than waiting until receiving a disconnection notice.
- "Serious Medical Condition" is not defined legally, but generally refers to **conditions that a physician determines requires electricity or water to maintain or treat.** It is very important not to sign or submit forms that don't have substantial medical justification.
 - The general assumption in these forms, particularly for electricity, is that some sort of equipment is required to maintain the health of the person submitting the form.
 - A form submitted without enough justification might delay action and, at worst, subject the customer to investigation for fraud – which could lead to the customer being forced to move to an area served by a different utility company.
- The utility company is supposed to act on forms "promptly." But **there is no defined timeframe in Virginia law for utility companies to process the forms.** The patient or medical provider may be contacted for additional information to verify the medical need. If there is a delay in responding for requests for additional information, the form may be denied.
 - Often forms are processed during normal business hours only, or even only in particular business hours. If there is an emergency, please reach out to the Legal Aid Justice Center MLP Attorney for assistance at 434-218-9479.



BEST PRACTICES FOR SUBMITTING A FORM:

- To get a serious medical condition form, either **search the name of the utility company with "Serious Medical Condition Form"** or either you can call the utility company with the patient or the patient can call the utility company themselves and tell them that someone in the home needs a "Serious Medical Condition Form" so that they can mail one.
- Even if utilizing a form obtained online, ALWAYS call the utility company and notify them that someone in the home has a serious medical condition and you need a serious medical condition certification. This puts the utility company on notice while you prepare the form. Some utility companies will place a temporary hold on the account so that no additional action will be taken while the Certification is prepared.

- The form should be submitted **as soon as someone is diagnosed with a medical condition**, but if someone does not have a form on file and receives a disconnection notice from the utility company they should file one as soon as possible.
- If submitting a form after service is disconnected or after receiving a disconnection notice, the account holder **must request assistance for paying the remaining bill balance**. Specifically, the account holder may request a payment plan or information about Energy Assistance Programs. The account holder may be redirected to submit an application via 211 or CommonHelp Online.
 - People who receive or have qualifying family members who receive SNAP, SSI, and TANF automatically qualify for some energy assistance programs. Note: there are many of these programs and they all have different application windows so they may not all be available at the time the form is submitted.
- When submitting the form, make sure the patient fills out **ALL of the information on the form and is very detailed about the medical condition and related needs**. Have the doctor's office submit the form whenever possible because this will make verification both faster and less likely to be required.
- Advise the patient to **keep copies of the form for their records** including the date and time submitted.



ABOUT PAYMENT PLANS AND ENERGY ASSISTANCE PROGRAMS:

NOTE: for eligibility some of these programs require that the customer to show that they are willing and able to keep up with bill payments in the future after assistance expires.

- Payment plans are a good option for people who just need extra time to catch up on their bills, although it's important to note that **a payment plan does not reduce the actual bill amount and the payment plan amount will be added to future bills**.
 - Some utility companies don't have a default plan duration, so the best practice is for the customer to say how much they can afford to pay on top of their regular bill each month and then work out the duration from there. Some companies, however, require up to 50% down payments for a payment plan and/or limit payment plan duration to 6 months.
 - If a customer is unable to keep up with a payment plan the company may demand the full amount due and then move towards disconnection.
- The Virginia Energy Assistance Program (LIHEAP) assists with immediate energy needs for households at or below 150% of the poverty line. Application windows vary based on the energy needs (there are different programs for fuel, cooling, weatherization, etc).
- EnergyShare is a program specific to Dominion Energy that assists Dominion Customers who are experiencing a crisis. Depending on the need, it can provide up to \$600 to families for energy assistance.
- Balance or budget billing is a program that levels utility costs across the course of a year so that peak usage months don't have significantly higher bills. It's based on the customer's usage during the prior year and estimates the bill amount so that it can be similar each month.