



National
Consumer Law
Center
*Fighting Together
for Economic Justice*

PROTECTING SERIOUSLY ILL CONSUMERS FROM UTILITY DISCONNECTIONS

<http://bit.ly/ill-consumer-utility>

WHAT STATES CAN DO TO SAVE LIVES NOW

APPENDIX E

SAMPLE NOTICE PROVISIONS OF STATE SERIOUS ILLNESS PROTECTION NOTICE RULES

STATE	CITATION	NOTICE REQUIREMENTS
Arkansas	<i>Ark. Admin. Code § 126.03.2-6.07(G).</i>	Every shutoff notice shall include a statement that customer with serious medical condition, over 65, or with a disability may contact the utility about qualifying for delaying termination of service.
Connecticut	<i>Conn. Agencies Regs. § 16-3-100(c), (e).</i>	Every termination notice "shall plainly indicate that the utility company may not terminate residential utility service to the home of any customer during such time as any resident therein is seriously ill" (§ 16-3-100(e)). A summary of customer rights, including as to serious illness, must be provided when service initiated and annually thereafter (§ 16-3-100(c)).
Delaware	<i>26-3002 Del. Code Regs. § 3.2.5.</i>	Notice of termination must include notice of the protection that if any occupant is so ill that disconnection would adversely affect health or recovery, and this has been duly certified, termination is prohibited.
Georgia	<i>Ga. Comp. R. & Regs. 515-3-2-.02(a)(4).</i>	Written disconnection notices shall include the procedure for preventing disconnection where there is a medical emergency.
Idaho	<i>Idaho Admin. Code r. 31.21.01.305.</i>	Termination notice must include a statement that a certificate notifying the utility of a serious illness or medical emergency may delay termination.
Maine	<i>Me. Admin. Code 65-407 ch. 815, § 10(J).</i>	Disconnection notice must contain statement about customer's right to postpone disconnection due to a medical emergency.
Massachusetts	<i>220 Mass. Code Regs. § 25.03(5).</i>	Collections notices must include description of serious illness protection.
Michigan	<i>Mich. Admin. Code r. 460.140(2)(f).</i>	Disconnection notice must contain information that the utility will postpone shutoff if there is a documented, certified medical emergency.
Nebraska	<i>Neb. Rev. Stat. § 70-1606(1)(g).</i>	Disconnection notices must include a statement that disconnections can be postponed or prevented with a physician's certificate of an existing illness or disability.

STATE	CITATION	NOTICE REQUIREMENTS
New Mexico	<i>N.M. Admin. Code § 17.5.410.42.</i>	15-day disconnection notice shall include specific notice about medical certifications protections.
North Dakota	<i>N.D. Admin. Code § 69-09-02-05.1 (electric).</i>	Disconnection notice includes notice that customer can delay termination for up to 30 days if there is a “dangerous health condition,” or resident 65 or older or with a disability.
Ohio	<i>Ohio Admin. Code 4901:1-18-06(A) (5)(h).</i>	Disconnection notice includes information that medical certification program and forms are available from utility where disconnections would be especially dangerous to health.
Pennsylvania	<i>52 Pa. Code §§ 56.91(b) (8), 56.93(b), 56.94(1), 56.96, 56.97.</i>	Disconnection notice must include medical certificate notice (§ 56.91(b)(8)). Required personal contact before disconnection shall include information on emergency medical procedures (§ 56.93(b)). At time of effectuating termination, if evidence of serious illness or medical condition, termination may not occur (§ 56.94(1)). Immediately post-termination, medical emergency notice shall be conspicuously posted or delivered to a responsible adult/occupant (§ 56.96)). If customer contacts utility after issuance of initial termination notice and before the actual termination, the utility shall fully explain the medical emergency procedures (§ 56.97)).
Wyoming	<i>023.0002.3 Wyo. Code R. § 9.</i>	Disconnection notice must include explicit information about the serious illness protection.