

## Private Non-Profit Eligibility (PNP) Guidelines

Facilities not owned by public entities also may be eligible for disaster assistance if certain criteria are met. The program is intended for organizations that have sustained extensive disaster losses. Obtaining disaster funding involves significant administrative effort and time which includes detailed inspections, preparation of records and documentation. Further information can be obtained by the county emergency management office.

**ALL** eligible private nonprofit organizations, whether a school district, volunteer fire department or an alcohol and drug rehabilitation center **MUST** also follow the procedures regarding Documentation Requirements, Instructions, and Eligibility as noted in the Applicant's Handbook.

PNP facilities are grouped into one of two different categories: (1) PNPs that are not required to be open to the general public, and (2) PNP's that must be open to the general public.

1. PNP facilities that are **not** required to be open to the general public are those that meet the definition of an educational, utility, emergency, medical or custodial care facility as explained in the Code of Federal Regulations at 206.221(e)(1),(2),(4),(5),(6).
2. PNP facilities that **must be open to the general public** include PNP irrigation Facilities as well as PNP facilities that provide "other essential government services" such as those listed below.

The following facilities are generally eligible for assistance: educational, utilities, irrigation, emergency, medical, and custodial care facilities and facilities that provide essential government services. Those that provide "other essential government services", must be open to the general public include, irrigation facilities, museums, zoos, community centers, libraries, homeless shelters, senior citizens centers, shelter workshops, and health and safety services of a governmental nature.

**To be considered as a PNP applicant: the following information is required and must be submitted BEFORE a determination of eligibility can be made.**

- Tax Exemption Certificate granted under sections 501(c) (d) or (e) of the Internal Revenue Code of 1954, as amended, or State certification that the organization is a nonprofit organization under State Law.
- Evidence from NYS that your organization is a non-revenue producing business.
- Organizational charter or by-laws.
- Other publications, brochures, pamphlets or literature that describe the organization and its services, purposes and functions.
- Description of membership policies or fee structures.
- Federal Tax Identification Number.

Before expenditures can be considered as part of the public assistance application, it must meet the following criteria:

1. The damage must be a direct result of a Presidential declared disaster
2. The damage must be within the federally designated disaster area
3. The damage must have occurred within the designated incident period
4. Eligible damage at a designated worksite must total \$1,000 or higher

5. The damages infrastructure must be owed by and/or be the legal responsibility of an eligible applicant
6. The damage and work to be performed must not be eligible for reimbursement under the authority of another federal program
7. Assistance is supplemental to any insurance proceeds received

**Educational Institutions:** Educational institutions are defined in terms of primary, secondary, and higher education schools. The school must satisfy the State requirements for compulsory attendance. Any elementary school as defined by section 801 of the Elementary and Secondary Education Act of 1965; or any secondary school as defined by section 801(h) of the Elementary and Secondary Education Act of 1965; or any institution of higher education as defined by section 1201 of the Higher Education Act of 1965.

**PNP Medical:** Any hospital, outpatient facility, rehabilitation facility, or facility for long term care.

**Hospitals:** Include general, tuberculosis and other types of hospitals and related facilities, such as laboratories, outpatient departments, nursing home facilities, extended care facilities, facilities related to programs for home health services, self-care units, and central service facilities operated in connection with hospitals. This category also includes education or training facilities for health profession personnel operated as an integral part of a hospital. A hospital that primarily furnishes home-based care is **not** considered a hospital under this definition.

**Custodial Care Facility:** Buildings, structures or systems which are used to provide institutional care for persons who require close supervision and some physical constraints on their daily activities for their protection, but do not require daily medical care.

**Utility:** Building, structures, equipment or systems of energy, communication, water supply, sewage collection and treatment of other similar public service facilities.

**Emergency Facility:** Buildings, structures, equipment or systems used to provide emergency services, such as fire protection, ambulance or rescue, to the general public.

**Other essential Governmental Service Facility:** Service Facility: Museums, zoos, community centers, libraries, homeless shelters, senior citizen centers, rehabilitation facilities, shelter workshops and facilities which provide health and safety service of a governmental nature.

**Examples of Ineligible Services or Facilities are:**

- Recreational facilities
- Job counseling or job training
- Facilities for advocacy groups not directly providing health services
- Conference facilities
- Centers for the performing arts
- Political education
- Advocacy or lobbying
- Religious service or education
- Facilities for social events
- Roads owned and operated by a property owners association

**Requirement for Application to the Small Business Administration (SBA)** PNP facilities potentially eligible for permanent work assistance that provide “non-critical services” must first apply for a disaster loan from the SBA before applying to FEMA for disaster assistance. “Noncritical” PNPs, however, may apply directly to FEMA for emergency work costs. “Non-critical services” include educational facilities as well as those facilities defined in § 206.221(e)(7). Facilities providing “critical services” as defined in §206.226(c)(1), including power, water, sewer and wastewater, communications, medical treatment, fire protection, emergency rescue, nursing homes, and educational institutions may apply directly to FEMA for disaster assistance.)

The SBA loan application process for these “non-critical” PNP facilities will result in one of three outcomes:

1. If the PNP is declined for an SBA loan, the PNP may then apply to FEMA for public assistance.
2. If the SBA loan fully covers eligible damages from the disaster event, then no assistance from FEMA is available.
3. If the maximum SBA loan for which the facility is eligible does not fully cover eligible damages, the PNP may then apply to FEMA for the excess eligible damages.

**Eligible PNPs are also required to apply to SBA for any Permanent Work / 406 Hazard Mitigation costs.**