



Food and Nutrition
Service

1320 Braddock Place
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January 28, 2021

**SUBJECT: Pandemic Electronic Benefits Transfer Program (P-EBT)
Approval of New Mexico's State Plan for School Children**

TO: Bill Ludwig
Regional Administrator
Southwest Regional
Office

The Families First Coronavirus Response Act (P.L. 116-127; the Act) as amended by the Continuing Appropriations Act, 2021 and Other Extensions Act (P.L. 116-159) authorized the continuation of a temporary assistance program for households with children affected by school closures during the public health emergency that was declared on January 27, 2020. Pursuant to the authority granted under Section 1101 of the Act, FNS approves New Mexico's enclosed plan to operate P-EBT for school children.

Summary of State's Plan

The New Mexico Human Services Department and the New Mexico Public Education Department will issue P-EBT benefits through the State's Supplemental Nutrition Assistance Program (SNAP) EBT card system to current SNAP households and non-SNAP households with eligible children. The State's plan covers the months of October 2020 through June 2021.

Children are eligible if they would have received free or reduced price meals at their schools through the National School Lunch Program (NSLP) if not for the closure or reduced attendance or hours of their schools. The State will issue benefits only to households with children whose schools are closed or have reduced the number of days or hours that students attend the school for at least 5 consecutive days.

The State and its school districts will identify children eligible for free or reduced price NSLP meals using the most current available data. All school districts that rely on SY 2019-2020 eligibility data will exclude last year's graduates and non-students, and will offer households with new students the ability to establish their eligibility through the traditional school food authority-run school meal application and direct certification processes.

In addition, New Mexico has or will:

- issue benefits for the months of October and November in a single distribution after plan approval,
- issue benefits for the rest of the school year retrospectively in four distributions covering December and January, February and March, April and May, and June,

- calculate benefits for each student based on the student’s number of virtual learning days; the state will not calculate average benefits for any student,
- collect student information from public schools biweekly and BIE and private schools every two months in order to calculate student benefits,
- provide guidance for schools detailing the requirements for:
 - determining school eligibility based on school closures or reductions in attendance and hours,
 - determining the number of benefit days using students’ individual schedules,
 - submitting student eligibility information and the number of benefit days

Finally, the State will identify risks for improper payments and ensure a high level of integrity.

Estimated Caseload and Value of P-EBT Benefits

The State will calculate monthly benefits for each eligible child in the household equal to the daily reimbursement for free breakfast and lunch multiplied by the number of benefit days calculated as described in the State’s plan.

New Mexico estimates that it will issue \$55.6 million to approximately 246,000 children for school closures and reductions in attendance and hours extending from October 2020 through June 2021.

Release of Information

Pursuant to Section 1101(e) of the Act, the Secretary hereby authorizes the release of the information necessary to carry out P-EBT in New Mexico. Section 1101(e) of the Act states, “Notwithstanding any other provision of law, the Secretary of Agriculture may authorize State educational agencies and school food authorities administering a school lunch program under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) to release to appropriate officials administering the supplemental nutrition assistance program such information as may be necessary to carry out this section.”

Plan Timetable and Revisions

New Mexico will distribute benefits to households consistent with the timeframes identified in the State plan. Should the State encounter challenges or delays that significantly impair its ability to implement the approved P-EBT plan or require substantive changes, the State must notify the FNS Regional Office as soon as possible. The FNS Regional Office will work with the State to identify reasonable solutions and review revised plans for approval or further revision.

Civil Rights

New Mexico will continue to comply with civil rights requirements, to include providing equal access to individuals with disabilities and individuals who are limited English proficient.

Administrative Funds

The New Mexico Human Services Department will participate in a P-EBT Administrative Budget Planning process using the FNS-366(a) Program and Budget Summary. When the FNS-366(a) is finalized, that will determine the State's Administrative Grant level. However, the FNS-366(a), Program and Budget Summary, may be updated and revised as the State's operational plan evolves.

Reporting

The New Mexico Human Services Department will complete the FNS- 292B, the FNS-46, the FNS-388, and the FNS-778 reports in accordance with existing requirements.

FNS appreciates New Mexico's commitment to meet the nutritional needs of children during a challenging time. If you have questions, please contact the FNS Southwest Regional Office.

Sincerely,

Cindy Long
Deputy Administrator
Child Nutrition Programs