



Food and
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MEMORANDUM

TO: SNAP State Agencies
Child Nutrition State Agencies

FROM: Jessica Shahin, Associate Administrator, Supplemental Nutrition Assistance Program (SNAP)
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DATE: April 15, 2020

Issuing Agency/Office:	FNS/Child Nutrition Programs/Supplemental Nutrition Assistance Program
Title of Document:	Pandemic EBT (P-EBT) Questions and Answers ¹
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Summary:	The Families First Coronavirus Response Act of 2020 provides the Secretary of Agriculture authority to approve State agency plans for temporary emergency standards of eligibility and levels of benefits under the Food and Nutrition Act of 2008. The guidance document attached contains responses to frequently asked questions from State agencies interested in submitting a proposal for P-EBT.
Disclaimer:	The contents of this guidance document do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.

The Families First Coronavirus Response Act of 2020 provides the Secretary of Agriculture authority to approve State agency plans for temporary emergency standards of eligibility and levels of benefits under the Food and Nutrition Act of 2008. Children who would receive free or reduced price meals under the Richard B. Russell National School Lunch Act if not for the school closure are eligible under this provision. State Agencies may submit plans in any case in which a school is closed for at least 5 consecutive days during a public health emergency designation during which the school would otherwise be in session. The State Guidance on Coronavirus Pandemic EBT (P-EBT) memorandum issued on March 20, 2020 is available here:
<https://www.fns.usda.gov/snap/state-guidance-coronavirus-pandemic-ebt-pebt>.

¹ Pursuant to the Congressional Review Act (5 U.S.C. §801 et seq.), the Office of Information and Regulatory Affairs designated this memorandum as not a major rule, as defined by 5 U.S.C. § 804(2).

The guidance document attached contains responses to frequently asked questions from State agencies interested in submitting a proposal for P-EBT. Please be advised that the contents of this document do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.

FNS is committed to the success of the States' P-EBT programs and their broader efforts to serve the nutritional needs of the nation's schoolchildren. State agencies with questions regarding this guidance or the development of their P-EBT plans should contact their FNS Regional Office.

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Attachment

Pandemic Electronic Benefits Transfer (P-EBT) Frequently Asked Questions #1:

1. Is participation in Pandemic Electronic Benefits Transfer (P-EBT) a State option?

Yes. To ensure that children continue to have access to nutritious meals when schools are unexpectedly closed, Congress provided and USDA is making available funds to States for the implementation of P-EBT. State participation in P-EBT is optional; however, it is a significant opportunity to ensure children continue to have access to nutritious meals despite this national emergency. FNS stands ready to support States as they implement it.

2. Which children are eligible for P-EBT?

All children who would receive free or reduced-price meals, if not for their school closure due to COVID-19, are eligible to receive P-EBT.

3. Are children receiving school meals through the Community Eligibility Provision (CEP) eligible for P-EBT?

Yes, all children who would receive free or reduced-price (FRP) meals, if not for their school closure due to COVID-19, are eligible to receive P-EBT. As such, students attending schools that participate in CEP, Provision 2, or Provision 3 are eligible to receive P-EBT if they attend a school closed for at least 5 consecutive days due to the public health emergency.

4. Are children who receive reduced-price meals eligible for P-EBT?

Yes, all children who would receive free or reduced-price meals, if not for their school closure due to COVID-19, are eligible to receive P-EBT. All eligible children, whether they would normally receive free or reduced price meals, will receive the value of free meals through P-EBT.

5. Which State agency is expected to request and submit a proposal for P-EBT?

The State agency responsible for the administration of SNAP is the lead agency responsible for applying to participate in P-EBT. However, the Child Nutrition agency is a critical partner in identifying eligible children and successfully implementing P-EBT. Both agencies will bear responsibility for aspects of the program. As applicants will note, the State Plan guidance requires signatures representing both State agencies.

6. Do State agencies need the signature of households in order to distribute P-EBT benefits?

FNS does not require an additional signature from the household to receive P-EBT benefits.

7. Do non-SNAP households need to complete an application to receive P-EBT?

While states may utilize an application if they choose, a state can propose alternate procedures if they have worked with their education agency and have all the necessary information needed to be able to issue P-EBT benefits to a non-SNAP household with an eligible child. Some states may not be able to conduct data matching with their school education agencies and may need to develop an application. The fields on the application may be limited to those that the SNAP agency needs in order to start a case and issue an EBT benefit and that the education agency needs in order to confirm these are FRP eligible households. Regardless, FNS encourages States to provide households with instructions about how to proceed if they do not want to utilize this benefit.

8. Can State educational agencies and school food authorities administering a school lunch program under Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) share participant data for the purpose of P-EBT?

Yes, under the statute, data sharing is allowable. Section 1101(e) of the Families First Coronavirus Response Act (FFCRA, P.L. 116-127) 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.” FNS recognizes that information sharing is critical to the success of P-EBT and encourages States to make full use of the data sharing authority provided through the FFCRA. When FNS approves a State plan for P-EBT, the Secretary is authorizing the release of the information to appropriate officials as detailed in the State plan.

9. In a state that issues P-EBT, can school food authorities (SFAs) continue to provide meals through the Summer Food Service Program and Seamless Summer Option?

Yes, SFAs can continue to operate other Federal nutrition programs while participating in P-EBT. The statute does not prohibit children from participating in more than one nutrition program.

10. Can P-EBT benefits be issued retroactively?

Yes, States may issue P-EBT benefits retroactively, provided that schools were closed for at least five consecutive days during a public health emergency designation due to COVID-19. Benefits may date back to the date of school closure due to COVID-19. States should indicate the first date of school closure in their State plans.

11. How long may States provide P-EBT benefits?

P.L. 116-127 establishes that benefits must be for a minimum of 5 school days. Other than this minimum requirement, because P-EBT is intended to benefit eligible children who lost access to free or reduced-price school meals, due to pandemic-related school closures, the length of P-EBT in each State will depend on how long schools are closed in that State. States may determine the length and amount of benefits by calculating either (A) the average number of canceled school days for the State, or (B) the number of days between the average date of the beginning of the school closures and the average date of the end of the school closures in the State.

12. What is the amount of P-EBT benefits each child should be issued?

P-EBT benefits are based on the SY2019-2020 National School Lunch Program (NSLP) and School Breakfast Program (SBP) reimbursement rates. All States should issue P-EBT benefits based on the appropriate rates below.

SY 2019-2020 July 1, 2019 - June 30, 2019	Free Reimbursements, USDA School Meal Programs			P-EBT Benefit	
	Lunch	Breakfast	Daily Total	5 Days	4-Weeks (20 Days)
Contiguous U.S.	\$ 3.50	\$ 2.20	\$ 5.70	\$ 28.50	\$ 114.00
Alaska	\$ 5.63	\$ 3.53	\$ 9.16	\$ 45.80	\$ 183.20
Hawaii, Guam, Virgin Islands	\$ 4.09	\$ 2.57	\$ 6.66	\$ 33.30	\$ 133.20

Notes:

1. Lunch rates include the extra 2 cents per meal received by school food authorities in which 60 percent or more of the lunches served during the second preceding school year were served free or at a reduced price.

2. Breakfast rates are those received by "severe need" schools.

Source: <https://www.govinfo.gov/content/pkg/FR-2019-08-07/pdf/2019-16903.pdf>

13. Are States required to code P-EBT benefits as a new benefit sub-type under the SNAP account, or are there other flexibilities available for how to code these benefits?

FNS strongly recommends using a different benefit sub-type to clearly differentiate P-EBT in their systems. However, the use of an existing sub-type under the SNAP account is only permissible if all State administrative reporting can be provided in an accurate and timely manner and can be differentiated as follows:

- Base SNAP (includes both regular SNAP issuance and Emergency Allotments)
- D-SNAP
- P-EBT total, as well as:
 - P-EBT for SNAP households, and
 - P-EBT for non-SNAP households

States must also be able to reconcile the above, as part of required 292-B, 388, and 46 reporting. Note that the 292-B must be submitted twice a month. We anticipate that P-EBT reporting will be subject to USDA OIG audit.

14. Will States be charged additional fees by EBT vendors for P-EBT services and products that are beyond the scope of the current contract?

FNS anticipates that processors will charge fees for any new services or products they provide as a result of P-EBT activity. The State will need to negotiate the cost of those products/services with their EBT processor (via contract change request). Ultimately, this matter will be governed by the terms and conditions of the State's existing processor contract. Should cost increases be incurred, they will be allowable costs of the SNAP State administrative cost grant (50/50 reimbursement) subject to standard Federal allowable cost requirements.

15. How do we give benefits to children not currently on SNAP via EBT?

If a child receives free or reduced priced school meals, and is part of a SNAP household or part of another program issued on an EBT card, P-EBT benefits will be issued on the household's current EBT card. In contrast, if a child receives free or reduced priced school meals, but is part of a household that does not receive SNAP, or other program benefits via EBT, the State will have to work with their EBT vendor to issue that household P-EBT benefits on a new EBT card.

16. In what order should we set up our system to draw down the different types of funds – P-EBT, Emergency Allotments (EA), and SNAP -- that will be on a household's card?

We highly recommend that P-EBT funds be drawn down first and that EA funds be treated as base SNAP funds. Thus, the priority would be P-EBT first, followed by SNAP/EA benefits.

17. Is a social security number or date of birth of the head of household required to issue P-EBT benefits?

The social security number or date of birth of the head of household is not required to certify a child's eligibility for free or reduced price school meals. Consequently, they are not required to issue P-EBT benefits. Some state SNAP systems may require a social security number or date of birth in order to create a case and provide issuance. FNS stands ready to work with States to identify approaches for addressing such issues.

18. Can the P-EBT card be issued to the child for children that are not members of a current SNAP household?

Ideally, eligible children who are not members of a current SNAP household will be grouped with other eligible children in the household and one card will be issued to the head of the household. If the head of household cannot be identified with available student records, the state may use an application to obtain information on the head of household, or may issue the benefit ‘to the parent or guardian of’ the child.

19. Is there an expungement date for PEBT benefits?

As this was not specified in the FFCRA, State agencies can propose an expungement timeline in their proposal. States are encouraged to work with their processors regarding expungement timelines. For ease of implementation, we recommend that States use the same 365-day expungement timeframe as SNAP.