

**Amendment to Approved State Plan for Pandemic EBT  
Children in School and/or Child Care, Summer 2022**

<b>Issuing Agency/Office:</b>	FNS / Child Nutrition Programs, Supplemental Nutrition Assistance Program
<b>Title of Document:</b>	Amendment to Approved State Plan for Pandemic EBT: Children in School and/or Child Care, Summer 2022
<b>Document ID:</b>	
<b>Z-RIN:</b>	
<b>Date of Issuance:</b>	May 9, 2022
<b>Replaces:</b>	N/A
<b>Summary:</b>	(1) This document is a template to assist States in the development of an amendment to extend their approved State plan to operate Pandemic EBT for school children and for children in child care during summer 2022. (2) This document relates to Section 1101 of the Families First Coronavirus Response Act (P.L. 116-127) as amended by the Continuing Appropriations Act, 2021 and Other Extensions Act (P.L. 116-159), the Consolidated Appropriations Act, 2021 (P.L. 116-260), and the American Rescue Plan Act, 2021 (P.L. 117-2)

*Additional context and background for this document can be found at:*  
<https://www.fns.usda.gov/snap/state-guidance-coronavirus-pandemic-ebt-pebt>

*The submission of a P-EBT state plan, associated template and related reporting obligations are addressed in OMB# 0584-0660, expiration 11/30/2023.*

**Amendment to Approved State Plan for Pandemic EBT  
Children in School and/or Child Care, Summer 2022**

**1. State:** New York

**2. Primary Citation:** Families First Coronavirus Response Act (FFCRA) as amended by the American Rescue Plan Act of 2022

**3. Here's what FNS needs from you:**

- a. If a State chooses to elect the U.S. standard benefit<sup>1</sup>, simply check the box below. Next, go to letter 'c' (*Estimated total amount of P-EBT benefits*) of the template.



*By checking this box, we are indicating that our State will use the U.S. standard benefit for the covered summer period. We understand that USDA is only able to offer an interim standard benefit for children in child care at this time; USDA will provide states with additional guidance in mid to late June 2022 / early July that specifies the remaining amount of the USDA standard benefit for children in child care commensurate with the expiration date of the public health emergency.*

- b. If a State chooses not to elect the U.S. standard benefit, FNS needs the following information:

- The number of days for which benefits will be issued as part of the State's covered summer period; and
- An explanation for how the State arrived at the number of days in the State's covered summer period. USDA will not approve a plan that does not tie the length of its covered summer period to the actual summer 2022 calendars of an enrollment-weighted average, or the median, of a representative sample of its school districts.
- For the child care portion of the plan, USDA can only guarantee benefits through July 9. USDA considers this to be 1/2 through the typical State's covered summer period. For purposes of calculating an interim summer P-EBT benefit for children in child care, States may apply this 1/2 fraction to the full summer benefit that the State has calculated for school children.
  - If the State believes that this date is more or less than 1/2 through the typical summer period of the State's schools, please support your position with data on the most common start dates of the summer break in the State's schools.

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<sup>1</sup> The U.S. standard benefit – as defined in Question #5 of FNS' Summer 2022 P-EBT Q&As – is equal to the median number of weekdays in a sample of each State's largest school districts multiplied by the daily P-EBT rate. For States in the continental U.S., that works out to a fixed summer benefit of \$391 per eligible child (55 days at \$7.10 per day). The U.S. standard benefit is higher for Alaska, Hawaii, and the territories; see Q/A #15 for a complete set of standard benefit amounts.

- As discussed in item #16 of USDA's P-EBT Summer 2022 Q&As, USDA will provide states with additional guidance by mid to late June / early July that specifies the remaining fraction of the full USDA standard benefit that States may provide to children in child care.

**Response:** [please use as much space as needed]

N/A

- c. Estimated total amount of P-EBT benefits the State will issue within this amendment's date range. (Consult the appropriate table in Section 4, "Benefit Levels.")
  - Estimated amount issued to school children **\$782,000,000** (2 million X \$391)
  - Estimated amount issued to non-school children in child care **\$70,380,000** (180,000 X \$391)
- d. Estimated total number of children to which the State will issue P-EBT benefits.
  - Estimated number of school children **2 million**
  - Estimated number of non-school children in child care **180,000**
- e. Tentative P-EBT issuance schedule (the dates on which Summer P-EBT benefits will be issued). Note that USDA encourages States to distribute summer benefits in two or even three issuances across the summer, to the extent practical.

**New York State Response:**

- School children: New York plans to begin issuing Summer 2022 payments to eligible school children upon completing issuing Summer 2022 benefits to the Children in Childcare cohort which will begin in October 2022. Children ages 5 and under who are included on the school rosters as eligible for Free/Reduced Price Meals (FRPMs) in June 2022, but who were already paid as part of the children in childcare cohort will be unduplicated.
- Children in child care: New York plans to begin issuing Summer 2022 benefits to Children in Childcare (children ages 5 and under who received SNAP in June, July or August) beginning in October 2022.
  - Please provide tentative issuance dates for the interim benefit for children in child care, and for any remaining amount that States will be able to issue following the release of additional guidance from USDA in mid to late June / early July. N/A

- f. Describe how the State will identify eligible school children and children in child care for summer P-EBT. You must address each of the following bulleted items, below, when responding.

**For school-aged children:**

- Describe how the State will identify school children who received P-EBT benefits during the last month of SY 21-22.

**New York State Response:** Summer 2022 P-EBT benefits for school-aged children will not be issued before P-EBT payment files for June 2022 have been created. These payment files will be based on complete enrollment data for the year and will serve as the basis for identifying all school-aged children eligible for the Summer 2022 P-EBT benefits based on eligibility for FRPMs during the 2021-22 school year. This complete data will not be available until August 2022. New York State confirms that it understands that only children eligible for FRPMs and enrolled in school during June, the last month of the 2021-22 school year are eligible for the summer P-EBT benefit.

- Describe how the State will identify school children who were eligible for free or reduced price school meals under the NSLP and SBP in SY 21-22 but did not receive P-EBT benefits in the last month of the school year because they attended school in-person and benefitted from a free or reduced price meal service at school. This includes children who were eligible for F/RP meals during the school year and did not receive P-EBT benefits because the children attended school in-person during the school year.

**New York State Response:** As noted above, Summer 2022 P-EBT benefits for school-aged children will not be issued before P-EBT payment files for June 2022 have been created. We will create P-EBT payment files for school-aged children for June 2022 in order to issue Summer 2022 P-EBT benefits. These files will serve as the primary basis for identifying school-aged children eligible for the Summer 2022 P-EBT benefits. Final and complete enrollment data for the 2021-22 school year will be certified in August, however, information indicating whether or not a child is eligible to receive P-EBT for June 2022 due to a Covid related absence will not be available when we plan to begin issuing Summer 2022 P-EBT benefits. The data enrollment records have codes that identify every student eligible for Free/Reduced-Price Meals whether they are eligible to receive a P-EBT benefit or not. We will deposit Summer 2022 P-EBT benefits into payment files created for every school age child eligible for FRPMs in June 2022.

- Describe how the State will identify children who are determined newly eligible for free or reduced price school meals during the covered summer period. States must provide an opportunity for families to apply for free or reduced price meals using the normal application process. States and SFAs should consider maintaining a minimum presence to process Free and Reduced Price Meal applications, perhaps on a part-time or weekly basis. Another alternative is for SFAs to accept new Free and Reduced Price Meal applications during the summer but only process them after the start of the new school year. Children determined eligible on applications *submitted prior to the end of the summer* could then be issued P-EBT benefits retroactively after the start of the new school year. (Note that it is preferable to process applications and issue benefits during the summer period that the benefits are intended to cover).

The New York State Office of Temporary and Disability Assistance (OTDA) will receive a data transfer from the New York State Department of Education (NYSED) derived from its Medicaid Direct Certification database at the end of September 2022. This data will be records of Medicaid direct certification students, eligible for FRPMs, from September 2021 through June 2022, and July 2022 through September 2022. This period encompasses the 2021-22 school year as well as the covered summer 2022 period. This data will be matched to the P-EBT database of students enrolled in schools eligible for P-EBT benefits. The P-EBT database is able to generate lists of students eligible for free or reduced-price school meals, inclusive of all students in schools participating in the Community Eligibility Provision, without including attendance data as an eligibility criterion.

Additionally, NYSED is instructing school districts that they must continue to accept National School Lunch Program (NSLP) or alternative applications through the end of the covered Summer period. The covered Summer period ends on Friday, September 2, 2022 and applications must be submitted to the schools before close of business on that day. SED will also collect rosters from non-public School Food Authorities for the 21-22 SY, and, since this collection of this data will begin after summer 2022, any children attending non-public schools who are newly eligible during the covered summer period will be included. A final transfer of data from SED will occur in early September 2022 and will contain the students determined eligible for free or reduced-price school meals through income eligibility applications submitted prior to the end of the summer.

**For children in child care:**

- Describe how the State will identify children who are enrolled in SNAP during the covered summer period and who received P-EBT child care benefits in the last month of the school year.

**New York State Response:** All children ages 5 and under who received SNAP for the month of June 2022 will be presumed eligible for the summer P-EBT benefit.

- Describe how the State will identify children who are enrolled in SNAP during the covered summer period and who would have received P-EBT child care benefits in the last month of the school year, but did not receive benefits because their child care facility was not closed or operating at reduced attendance or hours in that month, and neither their child care facility nor the child’s residence was in the area of a school that was closed or operating at reduced attendance or hours in that month.

**New York State Response:** Not applicable. The state’s approved P-EBT plan for Children in Child Care deems all child care centers statewide to have reduced hours and attendance, therefore all children ages 5 and under identified in our Welfare Management System (WMS) eligibility system who are part of an active SNAP household for June, July and/or August, will receive P-EBT Summer 2022 benefits.

- Describe how the State will identify children who are part of a SNAP household who are newly eligible for P-EBT child care benefits during the covered summer period

**New York State Response:** Please refer to New York State’s approved plan for Children in Child Care. The state’s approved P-EBT plan deems all child care centers statewide to have reduced hours and attendance, therefore all children ages 5 and under identified in our in our WMS eligibility system who are part of an active SNAP household for June, July and/or August, will receive P-EBT Summer 2022 benefits. As noted above, all children ages 5 and under who received SNAP for the month of June 2022 and also for either July or August 2022, or for both months will be presumed eligible for the summer EBT benefit. Additionally, al children ages 5 and under who began receiving SNAP during the months of either July or August 2022, but not for June 2022 also will be presumed eligible for the summer EBT benefit.

**4. Confirmation of remaining elements in the State’s approved school plan and/or child care plan**

- Please confirm that your P-EBT summer plan mirrors your approved school year 2021-2022 plan for EBT Processing and Benefit Issuance as well as Customer Service

(Sections 7 and 8 of the [SY 21-22 State Plan Template for Pandemic EBT](#)). You do not need to describe in detail how you will handle these matters if your summer plan mirrors your approved school year plan(s); but if your summer plan materially differs from your approved school year plan(s), please describe how.

**New York State Response:** New York State has not yet received USDA approval for SY 2021-22 for school children, however, New York confirms that our P-EBT summer plan mirrors our approved school year 2021-2022 plan for Children in Child Care EBT Processing and Benefit Issuance as well as Customer Service (Sections 7 and 8 of the [SY 21-22 State Plan Template for Pandemic EBT](#)).

## 5. Benefit Levels

### A. U.S. Standard Benefit

#### Standard Benefit for School Children

2022 Covered Summer Period	U.S. Standard P-EBT Benefit School Children		
	Median Length of Covered Summer Period (weekdays)	Daily P-EBT Rate	Standard Benefit
Contiguous U.S.	55	\$7.10	<b>\$391</b>
Alaska	55	11.44	<b>629</b>
Hawaii, Guam, Virgin Islands, Puerto Rico	55	8.28	<b>455</b>

#### Standard Benefit for Children in Child Care (Interim)

2022 Covered Summer Period	U.S. Standard P-EBT Benefit Children in Child Care (Interim)			
	Median Length of Covered Summer Period (weekdays)	Length of the Summer During the Public Health Emergency	Daily P-EBT Rate	Interim Standard Benefit
Contiguous U.S.	55	1/2	\$7.10	<b>\$195</b>
Alaska	55	1/2	11.44	<b>315</b>
Hawaii, Guam, Virgin Islands, Puerto Rico	55	1/2	8.28	<b>228</b>

**New York State Response:** As noted above, New York State will be using the U.S. Standard Benefit amount of \$391 per eligible child for the summer period.

#### State-Determined Benefit, Based on Daily Rate

Note: The daily benefit amount – \$7.10 – is only needed if a State elects to set its own covered summer period length; that is to say, if a State declines to use the U.S. standard benefit.

2022 Covered Summer Period	Free Reimbursements			
	Lunch	Breakfast	Snack	Daily Total
Contiguous U.S.	\$3.75	\$2.35	\$1.00	<b>\$7.10</b>
Alaska	6.03	3.78	1.63	<b>11.44</b>
Hawaii, Guam, Virgin Islands, Puerto Rico	4.37	2.74	1.17	<b>8.28</b>

**Notes:**

1. Lunch rates include the 7 cent performance-based reimbursement and 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.
  3. Snack rates are those for afterschool snacks served in afterschool care programs
- Source: <https://www.govinfo.gov/content/pkg/FR-2021-07-16/pdf/2021-15107.pdf>

**Civil Rights Statement**

The State will continue to comply with civil rights requirements by not discriminating on the ground of race, color, or national origin, by providing meaningful access to its programs and activities for individuals who are limited English proficient, and by providing equal access to individuals with disabilities.

**Administration of State P-EBT Plan**

The State will administer P-EBT according to the terms of its approved State plan. In general, conditions related to benefit issuance reporting, administrative funding, and release of information remain in effect for the covered summer period. If the State wishes to change any of the terms of its plan, the State shall first notify USDA and will, if requested by USDA, submit a plan amendment for USDA review and approval.

**Reminder**

If the State needs to make any significant changes to its Summer 2022 plan after approval, the State needs to submit an amendment to FNS that describes the change and its impact on operating summer P-EBT. USDA will review the amendment and approve allowable amendments.

**Signatures and Titles of Requesting SNAP and Child Nutrition State Agency Officials:**




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Signature  
 Wendy DeMarco  
 Director of Food and Nutrition Policy



NYS Office of Temporary and Disability Assistance



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Signature  
Kathleen R. DeCataldo  
Assistant Commissioner  
Office of Student Support Services  
New York State Education Department

**Date of Request: 8/25/22**