



Food and Nutrition  
Service

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May 15, 2023

**SUBJECT: Pandemic Electronic Benefits Transfer Program (P-EBT)  
Approval of Delaware's State Plan for Summer 2023**

**TO: Dr. Patty Bennett  
Regional Administrator  
Mid-Atlantic Regional Office**

The Families First Coronavirus Response Act (P.L. 116-127; the Act), as amended, authorized a temporary assistance program for households with children without access to meals in school and to certain SNAP-enrolled children in child care during the public health emergency originally declared in January 2020. The March 11, 2021 American Rescue Plan Act (ARP, P.L. 117-2) extended P-EBT through the end of the federal COVID public health emergency (PHE) and, for school children, the summer following the end of the PHE.

Pursuant to the authority granted under Section 1101 of the Act, FNS approves Delaware's enclosed plan to issue P-EBT benefits to children in schools for summer 2023.

#### **Summary of State's Plan**

The Delaware Department of Health and Social Services and the Delaware Department of Education will issue P-EBT benefits through the state's Supplemental Nutrition Assistance Program (SNAP) EBT card system to households with eligible children. In general, school children are eligible for benefits 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 ARP deems all schools closed for the 2023 P-EBT covered summer period.

The state and its school districts will identify the children who were eligible to receive free or reduced price NSLP meals as of the end of school year 2022-2023. The state will offer households who become income-eligible for free or reduced price meals the ability to establish their eligibility through the end of school year 2022-2023. In addition, the state and its school districts will identify eligible children through direct certification during the same period.

In addition, Delaware will:

- issue the U.S. standard benefit of \$120 to all eligible children,
- set an application submission deadline of August 4, 2023 for households of children who become newly eligible during the covered summer period:
  - Delaware will emphasize this application submission deadline on the State's P-EBT website and in other outreach materials to make it clear

that applications received after this deadline will not be eligible for Summer P-EBT

- Delaware school districts will use their standard NSLP applications for summer P-EBT benefits,
  - school districts will process these applications on receipt,
  - Delaware will use Income Eligibility Guidelines for SY 22-23 for applications received on or before June 30, 2023,
  - Delaware will use Income Eligibility Guidelines for SY 23-24 for applications received on or after July 1, 2023,
- tentatively distribute the summer benefit in August,
- tentatively distribute the benefits for contingencies and corrections in September,
- issue all benefits by September 30, 2023.

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

#### **Estimated Caseload and Value of P-EBT Benefits**

Delaware estimates that it will issue \$11.4 million to approximately 95,000 school children during the 2023 covered summer period.

#### **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 Delaware. 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**

Delaware 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**

Delaware will continue to comply with civil rights requirements by not discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity. The state will also provide meaningful access to its programs and activities for individuals

who are limited English proficient, and provide equal access to individuals with disabilities.

**Administrative Funds**

The Delaware Department of Health and Social Services 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 Delaware Department of Health and Social Services will complete the FNS-292B, the FNS-46, the FNS-388, and the FNS-778 reports in accordance with existing requirements.

FNS values Delaware's partnership in the administration of Pandemic EBT. FNS stands ready to provide additional support as needed. If you have questions, please contact the FNS Mid-Atlantic Regional Office.

Sincerely,

Cindy Long  
Administrator