

State Plan for Pandemic EBT
P-EBT Child Care Plan for School Year 2022-2023

State: Kansas

Primary Citations: Families First Coronavirus Response Act (FFCRA);
Continuing Appropriations Act, 2021 and Other Extensions Act;
Consolidated Appropriations Act, 2021;
American Rescue Plan Act of 2021

Executive Summary:

Please provide the following data. In addition, please include a statement indicating that you commit to informing USDA of any significant increase or decrease in these data points during the *date range* covered by this initial plan (or subsequent amendment).

- a. The *date range* covered by this state plan or amendment.
 - For children in child care that are also included in a SNAP household for the months of August 1, 2022 – May 11, 2023.
- b. Estimated monthly and total *amount* of P-EBT benefits the state will issue within this plan/amendment’s date range.
 - Estimated monthly amount for Child Care P-EBT: \$735,386
 - Estimated total amount issued to non-school children in child care: \$7,353,860
- c. Estimated total *number* of children to which the state will issue P-EBT benefits.
 - Estimated number of non-school children in child care: 43,997
- d. Tentative P-EBT issuance schedule (the dates on which you will issue P-EBT benefits).
 - The agency will issue child care P-EBT in summer of 2023, in one payment with staggered issuance over a 10-day period by alpha. Issuance dates are TBD.
- e. Names of the agencies involved in administering this plan.
 - Kansas Department for Children & Families and the Kansas Department of Education.

P-EBT for Children in Child Care

Standard for P-EBT Eligibility

A child enrolled in a covered child care facility is eligible for P-EBT if:

1. The child is a member of a household that is enrolled in SNAP in the benefit month.
2. The child is enrolled in a covered child care facility. (Note that under the FFCRA, USDA deems all children under the age of 6 to be enrolled in a covered child care facility.)

3. During a public health emergency designation, the child's child care facility is closed or is operating with reduced attendance or hours for at least 5 consecutive days, resulting in the child's inability to attend the facility; or one or more schools in the area of the facility, or in the area of the child's residence, is close or is operating with reduced attendance or hours.

There are no changes for P-EBT for children in child care from SY 2021-2022. USDA encourages states to refer to their approved SY 2021-2022 child care plan to complete this section. Please describe:

- how the state will identify eligible children and confirm their eligibility consistent with the above standard,
- how the state will set benefit levels for children,
- the roles and responsibilities of each state agency or other partners involved in P-EBT and
- any simplifying assumptions the state proposes to use and the justification for using those simplifying assumptions.

If the state will establish a reduction in access to child care using the CACFP data method, we recommend that the state respond to all points as described in the approved SY 2021-2022 child care plans, such as:

- The state will confirm that there has been a statewide reduction in access to child care for each of the months of the current school year relative to the same months immediately prior to the pandemic, and will share this data and calculations with USDA before issuing benefits for any months.
- The state will use the sum of CACFP lunch claims for child care centers and family day care homes as reported by the state on the FNS-44. The state will exclude at-risk lunches and adult lunches.
- The state will set an average monthly P-EBT child care benefit using the reduction in aggregate lunch claims over a designated period of time, the average number of school instructional days over the course of the current school year, and the SY 2022-2023 P-EBT benefit per day.
- The designated period over which the state will set the average monthly benefit (e.g., a separate average monthly benefit for the fall semester and the spring semester).
- The state will monitor CACFP lunch claims through the end of the school year (or through the end of the public health emergency, as applicable) and will only issue benefits for months where lunch claims remain below claims for the most recent same month prior to the pandemic.

Response:

Identifying SNAP Enrolled Children

- The state will identify children who began school year 2022-2023 under the age of 6 and were part of a household that receives SNAP.
- Consistent with P-EBT's authorizing statute, all children under the age of 6 are deemed enrolled in a covered child care facility.
- The state will make the reasonable simplifying assumption that children who began receiving benefits as a 5-year-old earlier in school year 2022-2023 remain enrolled in a covered child care facility through the end of the school year as long as the household continues to receive SNAP.
- The state understands that a child's eligibility for P-EBT child care benefits ends when a child's SNAP enrollment ends.
- Kansas will identify children under the age of 6 who reside in a household that applied for SNAP from May 1, 2023, through May 11, 2023 and are found eligible for SNAP benefits during this time period. These children will receive the pro-rated benefit for May 2023.

- Children eligible will be identified through SNAP eligibility and no reconsideration (application) process will be needed or available.

Establishing a Reduction in Access to Child Care Using the CACFP Data Method

- CACFP lunch claims confirm that there has been a statewide reduction in access to child care for each of the months of the current school year through November 2022 relative to the same months immediately prior to the pandemic.
 - For purposes of this plan, the state will use the sum of CACFP lunch claims for child care centers and family day care homes as reported by the state on the FNS-44. The state will exclude at-risk lunches and adult lunches. See Table 1 below for the states lunch claims (data available at time of plan submission is included on these tables).
- The state will monitor CACFP lunch claims through the end of the school year and will only issue benefits for months where lunch claims (to the extent that preliminary data are available) remain below claims for the most recent same month prior to the pandemic.

Setting Benefit Levels Using the CACFP Data Method

- The state will set an average monthly P-EBT child care benefit August 2022 through May 11, 2023. The averages are calculated using the following factors:
 1. The reduction in aggregate lunch claims over SY 22-23 relative to the same months from the fall SY 18-19 or SY 19-20. Available lunch claim data from August 2022 through March or April 2023 depending on available data at time of issuance will be used to calculate benefits for the entire year. See Table 1 below. (NOTE: CACFP lunch claim data for August – November 2022 in Table 1 are tentative and subject to change)
 2. The average number of school instructional days over the course of the current school year. This is equal to the number of instructional days in the year divided by the number of school months: $[186] \div [10 \text{ months}] = [18.6]$ days per month. For May, the number of instructional days will be 9 days, to account for the nine weekdays that occur in May prior to the end of the COVID-19 Public Health Emergency (Monthly Benefit Amount/18.6 days = daily \$ amount X 9 instructional days = prorated monthly benefit for May).
 3. The SY 22-23 P-EBT benefit per day of \$8.18.
 4. Agency commits to sharing its data and calculations with USDA prior to issuance of benefits.

Table 1: Reduction in CACFP lunch claims

CACFP Lunch claims pre-pandemic months		CACFP lunch claims current school year months		Percent Change, SY 22-23: To be applied to daily rate and number of school instructional days per month.
August 2019	569,864	August 2022	514,049	
September 2019	528,101	September 2022	408,286	
October 2019	601,962	October 2022	472,901	
November 2019	499,905	November 2022	455,886	
December 2019	476,544	December 2022	TBD	
January 2020	564,773	January 2023	TBD	
February 2020	539,881	February 2023	TBD	
March 2019	570,895	March 2023	TBD	
April 2019	637,957	April 2023	TBD	
Total	4,989,882	Total	TBD	TBD

Average monthly P-EBT child care benefit

Child Care Calculation	Percent Change in CACFP Lunch Claims	Average # of Virtual Days per Month in School Plans	Number of Months in Semester	Daily Benefit Amount	Average Monthly Benefit
August 2022 – April 2023	TBD	18.6	9	\$8.18	TBD
May 2023	TBD	9	1	\$8.18	TBD

Implementation Timeline, EBT Processing, and Benefit Issuance

Please provide an implementation timeline for SY 2022-2023 with estimated dates for major milestones in your plan.

- States should develop their timeline cooperatively, including input from its EBT processor and all state agencies involved in implementing P-EBT. Instead of using specific dates, describe important milestones and realistic durations between them. USDA suggests that states build their timelines from the date USDA approves the state’s plan (Day #0).

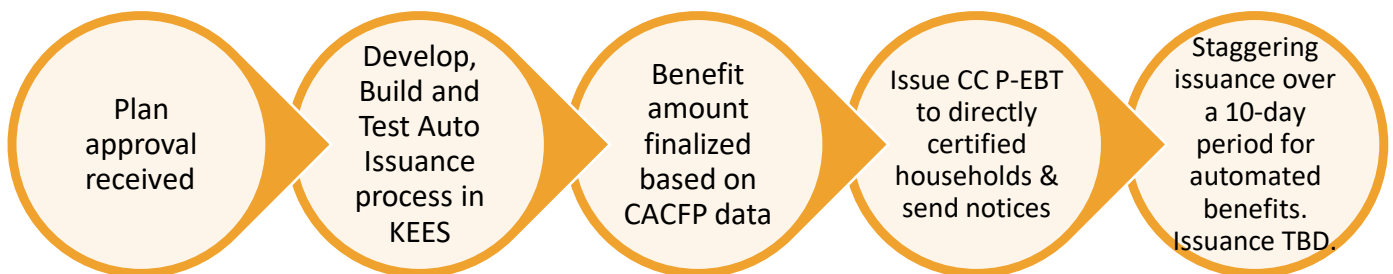
- The timeline must include the state’s tentative issuance dates. In past years, most states issued in phases, and on a rolling basis thereafter. For example: issuance to SNAP households Day #10, to non-SNAP households on Day #15, and to newly identified cases from Day #16 onward. This is a best practice, which we encourage states to continue.
- Examples of other possible milestones include, but are not limited to:
 - State Education agency provides student data to SNAP state agency (Day #5)
 - P-EBT hotline becomes active (Day #9)
 - Public notice campaign begins (Day #10), etc.

Please also address each of the following:

- Will the state issue P-EBT benefits on a unique P-EBT card design? If so, who will receive these cards, non-SNAP households only? Or also SNAP households?
- How will the state distinguish P-EBT from SNAP and D-SNAP issuances? USDA strongly encourages the use of a sub-benefit type, even if your state did not do so in P-EBT issuances for previous school years. This will greatly facilitate the states’ ability to report and USDA to maintain accountability for P-EBT.
- What will be your draw/spend priority for P-EBT, SNAP, and D-SNAP? USDA suggests making P-EBT first on your draw/spend priority.
- How will the state handle expungement of P-EBT benefits? USDA recommends that states follow the same expungement rules that the state currently follows for SNAP.
- How will you and your EBT processor handle returned P-EBT cards? How will you handle the need to issue replacement cards in these cases?
- Will you issue *new* P-EBT cards to existing P-EBT households?
 - If so, who will receive these cards? Non-SNAP households only? Or also SNAP households?
 - If not, how will you handle cases where the P-EBT household no longer has their P-EBT card?

Response:

In Kansas the goal is to issue August 2022 – May 2023 Child Care P-EBT benefits in summer of 2023. The state may need to change the issuance schedule depending on when the plan is approved. The tentative timeline is as follows:



DCF will use the regular Kansas Benefit Card for Child Care P-EBT benefits. DCF will not issue new EBT cards to Child Care P-EBT households unless the household does not have an active EBT card. A card will be sent to the household if

one has never been issued in the past. All EBT accounts are established in the name of the head of the household. All Child Care P-EBT households will receive Child Care P-EBT benefits on an EBT card. If a household needs a replacement card the client will call FIS at Customer Service for a replacement card, and it will be re-issued. All replacement cards will be sent from FIS via the mail. Undeliverable cards will be returned to FIS who will in-turn provide DCF with this information. Child Care P-EBT benefits will follow the same expungement rules that the state follows for SNAP. The draw priority will be P-EBT, SNAP, and D-SNAP. P-EBT will draw first priority.

EBT Benefit Issuance:

- Sub-benefit type to be used for Child Care P-EBT: EBT25812
- Benefit draw priority: The P-EBT benefits identified as EBT 25812 will be used first ahead of any existing SNAP authorizations or future SNAP authorizations. Kansas will follow the existing State SNAP expungement timelines.

Customer Service

Recommended Standard for Household Support

USDA strongly encourages states to develop a customer service plan that anticipates common questions from households of children that are eligible and potentially eligible to participate in P-EBT, and that ensures that all who are eligible are able to receive and use their P-EBT benefits.

1. USDA strongly encourages states to provide a means to resolve disputes and answer questions from actual or potential P-EBT households.
2. USDA strongly encourages states to provide relevant program information to actual and potential P-EBT households.
 - How will the state resolve dispute or issuance errors (incorrect benefit amount, denied benefits, etc.)? Based on the large number of such inquiries received by USDA, the states, and EBT processors, USDA suggests a phone number (hotline) staffed by personnel empowered to research and address such cases.
 - Please describe how the state will serve groups with potential access problems, for example: homeless children, foster children, children without social security numbers, children and caregivers with limited English proficiency, households without internet access, and people living with disabilities.
 - Describe the state's public information campaign. That is, the information you will provide to the general public (i.e., **not directly** to P-EBT participants), and how you will provide that information (i.e., print or broadcast advertising, social media, mailers to the general population).
 - Describe what information you will provide for households that do not want the P-EBT benefit that is directly issued to them. How dispose of the card, etc.
 - Describe the information you will provide **directly** to P-EBT participants (this is different than the information you provide to the general public), and how you will provide that information. For example:
 - What will you provide to explain the purpose of P-EBT and how to use the benefit? Based on the large number and wide variety of public inquiries that USDA, states, and EBT processor call centers received regarding P-EBT in over the past year, USDA recommends it include:
 - A description of P-EBT
 - Instructions for PINing a P-EBT card
 - Explanation of where benefits can be used
 - Explanation of how benefits can and cannot be used (i.e., eligible foods and non-eligible items)

- Explanation of violations and penalties, such as trafficking
- An indication that benefits are non-transferable
- Instructions for destroying the card, if they want to decline benefits
- Information regarding a hotline, helpdesk, or website/portal that participants can reach out to, if they have questions, need assistance (setting up a PIN, for example)
- How will you provide P-EBT information to non-SNAP households? How will you provide P-EBT information to SNAP households?
 - Will you provide information via mailers? Will the mailer(s) be a flyer/brochure, buck slip, letter, or some other alternative? USDA recommends flyers/brochures, because these can be used more flexibly than buck slips.
 - Will you provide information via e-mail, text messages, social media, website, robo-call, and/or other electronic means?

Response:

Disputes or Issuance Errors:

Individuals can reach out directly to Department for Children and Families to dispute their benefit amount or eligibility amount for Child Care P-EBT benefits. DCF staff and customer service are equipped to answer Child Care P-EBT questions and do appropriate case research to assist in resolving any disputes or errors regarding Child Care P-EBT benefits. The household may be asked to provide additional information if DCF is unable to determine if there was an issuance error (for example, documentation of school status from the student's school, verification of address of the student). Once any necessary information is provided and reviewed, DCF will contact the household to inform them of the final determination. All disputes and issuance errors must be resolved by September 30, 2023.

Access Issues:

Homeless individuals may need to contact DCF to provide an address for receiving their card if they do not already have one. DCF has an integrated eligibility system that includes Foster Children. P-EBT cards will be issued to the head of household not the child. Head of Household without a social security number will follow the same model utilized in the last round of P-EBT. The head of household without a social security number will contact DCF for assistance in setting up a up their card to access the benefits on the EBT card. For individuals that do not have a SSN they must contact their local DCF office to set up an alternate password to activate the EBT account. If a password is necessary, the password is directly entered into ebtEDGE by DCF staff. These individuals can then call and choose a Personal Identification Number (PIN). These instructions are included in a training brochure the client receives with their Kansas Benefits Card. Those with limited English proficiency will be able to speak with a DCF worker using interpreter services. Mailings will be provided in Spanish. Households do not need any kind of internet services to receive P-EBT benefits and can contact agency by phone. Persons with disabilities will be served in the same manner the agency serves SNAP clients that require additional services.

Public Service Campaign:

DCF will conduct a public information campaign to alert those eligible for Child Care P-EBT benefits and the general public of the purpose of Child Care P-EBT and how it is to be used. This will include posting on the Kansas DCF public website, social media, and press releases.

Information to P-EBT participants:

SNAP households will receive information about Child Care P-EBT by a notice of approval for Child Care P-EBT, DCF public website, social media or other electronic means. The information shall include the following.

- A description of Child Care P-EBT
- Instructions for setting the PIN for the EBT card
- Explanation of where benefits can be used
- Explanation of how benefits can and cannot be use (i.e., only purchase food items)
- Explanation of violations and penalties, such as trafficking
- An indication that benefits are non-transferable
- Instructions for destroying the card if they want to decline benefits
- Information regarding the agency contact information and the DCF website with FAQs
- Phone number for FIS for replacement card requests

Clients who do not wish to receive Child Care P-EBT benefits will be provided with information on how to dispose of the card. This information is included with the instructions sent with the card to the household.

Over-issuance of P-EBT benefits

States should outline a process to recover or adjust P-EBT payments to correct errors on previous issuances. states cannot simply apply their existing SNAP benefit claim process to P-EBT. Accordingly, states should develop P-EBT-specific rules and procedures and include those in their state plans. states must also consider the capability of their SNAP systems to distinguish P-EBT from SNAP benefits.

The process should take into consideration that many households received their benefits, without application, through an automated match process that relied on the state's own administrative data. Reclaiming benefits under those circumstances calls for a process that weighs the equity of the claim, the burden on affected households, and the likelihood and costs of recovery. Given those considerations, a state's P-EBT plan should consider reasonable thresholds for taking action to recover over-issued benefits. states that establish a process for benefit recovery must provide clear notice to beneficiaries of the circumstances under which the state may attempt to recover benefits or reduce a future issuance. Under no circumstances may the state reduce a SNAP benefit to settle a P-EBT claim.

Finally, the states recognize that USDA is responsible for ensuring accountability of funds for P-EBT purposes. As part of its oversight responsibilities, USDA may hold state agencies liable for aggregate over-issuances or improper payments. USDA's course of action is to pursue P-EBT over-issuance claims in the aggregate where USDA believes such action is merited, based on the nature of the error that gave rise to the over-issuance, the size of the error, and whether such action would advance program purposes.

Please describe how your state will manage P-EBT payment errors.

Response:

Kansas DCF will make every effort to ensure only households with eligible children are approved for P-EBT benefits.

Any possible benefit over-issuance or improper payments that KS DCF becomes aware of will be investigated and appropriate action will be taken. DCF will investigate the over-issuance or improper payment by checking the information provided by the SFAs, checking the information in KEES and requesting additional information from the household if

needed. If it is determined after investigation and research that there was an over-issuance or improper payment a DCF eligibility worker will take the appropriate action to initiate a claim. Examples of an over issuance or improper payment would be duplicate benefits or issued to the wrong household. DCF will ensure that no additional benefits are issued to an ineligible household for future months. In no instances will Kansas DCF reclaim P-EBT benefits by reducing a household's SNAP benefit. Kansas will not recoup against SNAP benefits already issued.

Prior to taking any action to recover overpayment benefits from household, agency commits to informing USDA of all overpayments. Spreadsheet will be provided to USDA and will include amount of overpayment, number of children affected, the reason for the error, and explanation of the corrective action that the state will or has taken to prevent recurrence of the error.

Benefit Issuance Reporting

The state agrees to complete the FNS-292 form as well as all other normally recurring SNAP reporting, including the FNS 46, 388, and 778 reports, on a timely basis in accordance with requirements.

Administrative Funding

A separate grant to cover state level administrative costs associated with the administration of P-EBT will be awarded to the SNAP state agency within each state, for the period of performance October 1, 2022 through September 30 2023. As the authorized grantee, the SNAP state agency will be granted access to the associated letter-of-credit in which the administrative grant funds will be placed. As P-EBT related state administrative costs may be incurred by state agencies other than the SNAP state agency, the SNAP state agency will be responsible for entering into interagency agreements in the form of a Memorandum of Understanding, or document of similar construct, with all other respective state agencies responsible for delivering P-EBT benefits. The SNAP state agency will be responsible for reimbursing the administrative costs of all associated agencies accordingly.

Prior to USDA releasing the grant for administrative funding, each SNAP state agency will be required to submit a P-EBT Budget Plan using the FNS-366(a) Program and Budget Summary Statement. Funds will not be released to the SNAP state agency's letter-of-credit until this plan is submitted and approved. The SNAP state agency's Budget Plan should include the estimated administrative costs for all state agencies that will be handling P-EBT.

As noted in "Over-Issuance of P-EBT benefits" section above, the SNAP state agency will also be responsible for reporting all administrative expenditures on a separate FNS-778, Supplemental Nutrition Assistance Program, Federal Financial Report designated specifically for P-EBT. The expenditures on the FNS-778 should align with those outlined in the FNS-366(a), Program and Budget Summary Statement. The forms associated with P-EBT will be modified accordingly.

Release of Information

Per Section 1101(e) of the Families First Coronavirus Response Act: 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."

Civil Rights Statement

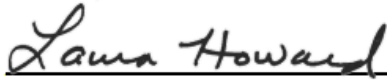
The state will continue to comply with civil rights requirements by not discriminating on the ground of race, color, or national origin, by providing meaningful access to its programs and activities for individuals who are limited English proficient, and by providing equal access to individuals with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

Administration of State P-EBT Plan

Kansas will administer P-EBT according to the terms of its approved State plan. 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.

For questions or concerns please contact Kansas Department for Children and Families at 1-888-369-4777. This phone number is where USDA FNS National Office can direct any public inquiries about P-EBT in Kansas.

Signature and Title of Requesting SNAP and Child Nutrition State Agency Officials:

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Signature

Laura Howard, Kansas DCF Secretary

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Signature

Cheryl Johnson, MS, RD, LD

Director Child Nutrition & Wellness, KSDE

Date of Request: 04/11/2023_____