

**State Plan for Pandemic EBT  
Summer 2023  
February 16, 2023**

<b>Issuing Agency/Office:</b>	FNS / Child Nutrition Programs, Supplemental Nutrition Assistance Program
<b>Title of Document:</b>	State Plan for Pandemic EBT: Summer 2023
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<b>Replaces:</b>	N/A
<b>Summary:</b>	(1) This document is a template to assist states in the development of an approved state plan to operate Pandemic EBT for school children and for children in child care during summer 2023. (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), the American Rescue Plan Act, 2021 (P.L. 117-2), and the Consolidated Appropriations Act, 2023 (P.L. 117-328).
<b>Disclaimer:</b>	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.

*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.*

**State Plan for Pandemic EBT  
Summer 2023<sup>1</sup>  
February 16, 2023**

*Please note that due to the FY 2023 Consolidated Appropriations Act, states can submit a P-EBT Plan for Summer 2023 **without** a School Year 2022-2023 P-EBT Plan for School Children or Children in Child Care.*

**1. State: Maryland**

**2. Primary Citation:** Families First Coronavirus Response Act (FFCRA), as amended.

**3. 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 summer period covered by this initial plan (or subsequent amendment).

- a. Estimated total amount of P-EBT benefits the state will issue to school children within this amendment's date range.<sup>2</sup> (Consult the appropriate table in Section 4, "Benefit Levels.")
- b. Estimated total number of school children to which the state will issue P-EBT benefits.
- c. Tentative P-EBT issuance schedule (the date(s) on which Summer P-EBT benefits will be issued). Assuming that the public health emergency ends on May 11 as anticipated, P-EBT funds will not be available beyond the end of fiscal year 2023. **As a result, states must issue all P-EBT benefits by September 30, 2023.** This applies to P-EBT benefits for school year 2022-2023 and summer 2023. Benefits issued by the states for the summer and school year after this date may result in liability to the state.
- d. Names of state agencies involved in administering this plan.

**Response:**

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<sup>1</sup> Changes to the Summer P-EBT program contained in the Consolidated Appropriations Act, 2023 are highlighted in yellow throughout this document.

<sup>2</sup> The Biden Administration recently announced that, at present, it intends to end the COVID-19 public health emergency declaration on May 11, 2023. In the event that the public health emergency does end on May 11, prior to the start of P-EBT's covered summer period, states may not issue P-EBT summer benefits to children in child care in 2023.

Estimated total amount of P-EBT benefits the state will issue to school children within this amendment's date range.<sup>3</sup> (Consult the appropriate table in Section 4, "Benefit Levels.")

Maryland estimates it will issue \$57,600,000 in Summer P-EBT benefits.

Estimated total number of school children to which the state will issue P-EBT benefits.

Maryland estimates that approximately 480,000 children will be eligible for Summer P-EBT benefits

Tentative P-EBT issuance schedule (the date(s) on which Summer P-EBT benefits will be issued). Assuming that the public health emergency ends on May 11 as anticipated, P-EBT funds will not be available beyond the end of fiscal year 2023. **As a result, states must issue all P-EBT benefits by September 30, 2023.** This applies to P-EBT benefits for school year 2022-2023 and summer 2023. Benefits issued by the states for the summer and school year after this date may result in liability to the state.

- For Students eligible for free or reduced-price school meals in the last month of SY 2022-2023, Maryland will issue Summer P-EBT benefits in two equal installments in July and August.
- For students determined eligible for free or reduced-price school meals during the covered summer period, Maryland will issue Summer P-EBT benefits during the month of August.

Names of state agencies involved in administering this plan.

The Maryland Department of Human Services (MD DHS) and the Maryland State Department of Education (MSDE) will collaborate to issue Summer P-EBT benefits. MSDE will work with Local Education Agencies (LEAs) to identify children eligible for Summer P-EBT and will develop a process for collecting and transmitting the data to the State. The MSDE will submit the data to MD DHS. The MSDE will continue to oversee the National School Lunch Program (NSLP) application process.

MD DHS is the SNAP Administering Agency. The agency will develop and maintain systems to process P-EBT benefits; review, analyze, and cleanse data received from schools and LEAs via MSDE; work with the State's Electronic Benefit Transfer (EBT) vendor to manage customer benefits; develop and implement a customer service strategy; and manage sub-contractors.

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<sup>3</sup> The Biden Administration recently announced that, at present, it intends to end the COVID-19 public health emergency declaration on May 11, 2023. In the event that the public health emergency does end on May 11, prior to the start of P-EBT's covered summer period, states may not issue P-EBT summer benefits to children in child care in 2023.

#### 4. Summer P-EBT for school children:

- Describe how the state will identify school children who attended an NSLP-participating school at the end of school year 2022-2023 who qualified to receive free or reduced price school meals under the NSLP or SBP. This group includes:
  - School children who attended a school that participated in the Community Eligibility Provision or Special Provisions 2 or 3 in school year 2022-2023.
  - Children who were directly certified for free school meals or who were certified by application for free or reduced price school meals during school year 2022-2023, or children who are determined newly eligible for free or reduced-price meals.

States may not issue summer 2023 P-EBT benefits to children who did not attend an NSLP-participating school at the end of the school year immediately preceding the summer (i.e. at the end of SY 22-23).

- Describe how the state will ensure that households with children eligible for free or reduced price school meals will have an opportunity to establish their eligibility by application through the end of SY 22-23 and into the summer of 2023 (*to the extent possible*). USDA understands that states that elect to keep their school meal application process open beyond the end of the school year will set a summer application deadline that allows the states to process these applications and issue benefits by September 30, 2023.

#### Response:

MSDE will work with LEAs to collect data on students who qualified to receive free or reduced price school meals under the NSLP or SBP during SY 2022-2023. LEAs are already responsible for determining eligibility for free or reduced price school meals, therefore, they have eligibility data readily available. LEAs will be instructed to include all students in Community Eligibility Provision or Special Provisions schools during SY 2022-2023.

Under an existing Memorandum of Understanding between MD DHS and MSDE, school children who are enrolled in SNAP are directly certified for free or reduced price school meals; therefore, the records provided by LEAs will already include this population.

Maryland will not issue Summer 2023 P-EBT benefits to children who did not attend an NSLP-participating school at the end of the school year immediately preceding the summer.

- Describe how the state will ensure that households with children eligible for free or reduced price school meals will have an opportunity to establish their eligibility by application through the end of SY 22-23 and into the summer of 2023 (*to the extent possible*). USDA understands that states that elect to keep their school meal application process open beyond the end of the school year will set a summer application deadline that allows the states to process these applications and issue benefits by September 30, 2023.

Households with children eligible for free or reduced price school meals will have an opportunity to establish their eligibility following the established application process through LEAs. The LEAs will follow their normal NSLP application processes and submit data to MSDE of newly eligible children during the summer of 2023.

MSDE and MD DHS-administered direct certification will also continue throughout the covered summer period. Children who are newly determined eligible for free or reduced-price school meals must have submitted their application for NSLP or SBP on or before July 15, 2023. This deadline will allow LEAs to make eligibility decisions and transmit eligible students' records to MD DHS (via MSDE) for Summer P-EBT benefit issuance before the September 30, 2023 deadline.

Maryland will use the income eligibility guidelines (IEGs) for school year 2023-2024 for all applications submitted on or after July 1, 2023 and will use the school year 2022-2023 IEGs for applications submitted before that date.

### **Summer P-EBT for children in childcare**

The federal Pandemic Health Emergency (PHE) is scheduled to be rescinded on May 11, 2023; therefore, in compliance with federal guidance, Maryland will not issue Summer P-EBT benefits to children previously eligible under the childcare provision. This includes SNAP-enrolled children under the age of six.

## **5. Benefit Levels**

### **Summer 2023 P-EBT Benefit**

*Please note that this new benefit from the Consolidated Appropriations Act, 2023 has changed from the level for Summer 2022 P-EBT benefits.*

<b>Summer 2023 P-EBT Benefit</b>	
<b>Contiguous U.S.</b>	<b>\$120</b>
<b>Alaska</b>	<b>188</b>
<b>Hawaii, Guam, Virgin Islands, Puerto Rico, American Samoa, Commonwealth of the Northern Mariana Islands</b>	<b>139</b>

## **6. Implementation Timeline, EBT Processing, and Benefit Issuance**

Please provide an implementation timeline for summer 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.
- If the PHE ends on or before September 30, 2023, states must issue all P-EBT benefits by September 30, 2023.
- 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:**

Implementation Timeline

**Students eligible for free or reduced price school meals in the last month of SY 2022-2023**

- LEAs will transmit eligibility records to MSDE by June 30, 2023
- MSDE will transmit eligibility records to MD DHS by July 17, 2023
- MD DHS will Summer P-EBT benefits in two equal installments in July and August

**Students determined eligible for free or reduced-price school meals during the covered summer period**

- LEAs will transmit eligibility records to MSDE by August 4, 2023
- MSDE will transmit eligibility records to MD DHS by August 18, 2023
- MD DHS will issue June, July, and August Summer P-EBT benefits by August 31, 2023.

All Maryland’s P-EBT recipients, will receive a P-EBT card on which benefits will be loaded. A customer who previously received P-EBT cards but lost it will be able to obtain a replacement card by calling the EBT hotline.

- Maryland maintains a separate D-SNAP eligibility system which is not being used to issue P-EBT benefits.
- Maryland will observe SNAP expungement rules for the P-EBT program. The benefit will be expunged after 275 days from the date of issuance.
- Maryland will maintain its existing process for handling returned cards. Returned P-EBT cards are handled in accordance with the following procedure:
  - Maryland’s EBT processor, Conduent, receives returned cards
  - Conduent statuses the cards in the EBT System (EPPIC)
  - Conduent sends a daily returned card file to the SNAP Administering Agency (DHS).
  - The file contains the first and last name of the recipient, case number, and the date on which the card was returned.
  - MD DHS matches the returned file against the list of customers who have reached out to MD DHS to report address changes
  - DHS removes those who have already been issued a replacement card then provides the rest to MSDE

- MSDE sends the list to Local School Systems to outreach to students/families to obtain updated address
- Local School Systems provide found updated addresses to MSDE
- MSDE provides found updated addresses to MD DHS
- MD DHS transmits a demographic file one time per week to update addresses based on the data provided by MSDE or customer contacts
- A team of EBT managers manually request card replacements in the EPPIC system one day following the demographic data update
- Impacted customers receive a new EBT card within 7-10 days.

Maryland has also adopted a protocol allowing Local Departments of Social Services to issue Over The Counter (OTC) EBT cards for children on as needed basis (i.e. if mail delivery has not been successful).

Maryland will not stagger benefits throughout the issuance month. We believe that staggering benefits will cause confusion and lead to unmanageable call volumes. The State will work closely with the Maryland Retailers Association to ensure that grocers are informed about the P-EBT issuance timelines so that they can anticipate and plan for local demands.

## 7. Customer Service

*To complete Section 7, we encourage states to use language from their previously approved SY 22-23 plans, if applicable.*

- How will the state resolve disputes 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 to 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:** Maryland confirms that the P-EBT Summer plan will largely mirror its approved SY 2021-2022 State Plan. The State will review and update both the public information campaign and customer service process to ensure that they reflect current information about summer P-EBT.

## 8. Over-issuance of P-EBT benefits

*To complete Section 8, we encourage states to use language from their previously approved SY 22-23 plans, if applicable.*

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:** [Maryland confirms that the P-EBT Summer Plan will mirror its approved SY 2021-2022 State Plan.](#) [In addition, Maryland commits to completing a spreadsheet that USDA provided to States last year.](#)

## **9. 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.

## **10. 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. 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 Item 10 above, the SNAP state agency will be also 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.

## **11. 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.”

## **12. Civil Rights Statement**

The state 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.

## **13. 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 2023 plan after approval, the state needs to submit an amendment to USDA 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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La Sherra Ayala  
Executive Director  
Family Investment Administration  
Maryland Department of Human Services

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Mohammed Choudhury

State Superintendent  
Maryland State Department of Education

**Date of Request:** .