

**State Plan for Pandemic EBT
Children in School and Childcare, 2022-2023**

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Summary:	(1) This document is a template to assist states in the development of state plans to operate Pandemic EBT for children in schools or Childcare during school year (SY) 2022-2023. (2) This document relates to Section 4601 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 of 2021 (P.L. 117-2).

Additional context and background for this document can be found at State Guidance on Coronavirus P-EBT: [Click Here](#)

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

State Plan for Pandemic EBT
Children in School and Childcare, 2022-2023

1. **State:** Maine

2. **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

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 *date range*¹ covered by this initial plan (or subsequent amendment).

- a. The *date range* covered by this state plan or amendment
 - for children in school
 - for children in Childcare
- b. Estimated monthly and total *amount* of P-EBT benefits the state will issue within this plan/amendment's date range.
 - Estimated amount issued to school children in SNAP households.
 - Estimated amount issued to school children in non-SNAP households
 - Estimated amount issued to non-school children in Childcare.
- c. Estimated total *number* of children to which the state will issue P-EBT benefits.
 - Estimated number of school children in SNAP households
 - Estimated number of school children in non-SNAP households
 - Estimated number of non-school children in Childcare
- d. Tentative P-EBT issuance schedule (the dates on which you will issue P-EBT benefits).
 - School children in SNAP households
 - School children in non-SNAP households
 - Children in Childcare
- e. Names of state agencies involved in administering this plan.

¹ The date range covered by P-EBT state plan or amendment. A state's plan will typically cover the instructional months in the state's school year (September 2022 through June 2023, for example).

Response:

For all children, Maine anticipates this P-EBT plan to cover the period from 8/15/2022 to 5/11/2023.

Maine estimates that— \$656,800 in P-EBT benefits will be issued to 4,200 school aged children in SNAP households; \$1,843,200 in P-EBT benefits will be issued to 11,800 school aged children not in SNAP households; resulting in \$2,500,000 in P-EBT benefits being issued to 16,000 school aged children and \$5,540,000 in P-EBT benefits will be issued to 14,500 children in childcare for a total of \$8,040,000 in P-EBT benefits being issued to 30,500 Maine children.

Maine anticipates issuing benefits—

- **for students—**
 - **for August through March the first week in July and**
 - **for April, May, and June the first week in August and**
- **child care benefits—**
 - **for August through February the first week in July, and**
 - **March, April, and May the first week in August.**

The first month(s) issuance will be delayed until Maine has an approved plan and has time to implement it.

P-EBT is administered jointly by the Office for Family Independence (OFI) within Maine’s Department of Health and Human Services, and the Maine Department of Education (MDOE).

4. P-EBT for School Children (see Q&As #7-25)

A. Eligible Children

Standard for P-EBT Eligibility

A child is eligible for P-EBT benefits if two conditions are met:

1. The child would be eligible for free or reduced-price meals if the National School Lunch Program and School Breakfast Program were operating normally. This includes children who are:
 - a. directly certified or determined “other source categorically eligible” for SY 2021-2022, *or*
 - b. certified through submission of a household application processed by the child’s school district for SY 2021-2022, *or*
 - c. enrolled in a Community Eligibility Provision school or a school operating under Provisions 2 or 3, *or*
 - d. on the school’s most current prior year list of directly certified children, children determined other source categorically eligible, or children certified by application *and* the school district has not made a new school meal eligibility determination for the child in SY 2021-2022.
2. The child does not receive free or reduced-price meals at the school because the school is closed or has been operating with reduced attendance or hours for at least 5 consecutive days in the current school year. Once the minimum 5 consecutive day threshold is met, children are eligible to receive P-EBT benefits for closures or reductions in hours due to COVID-19.

- Describe how the state will identify eligible school children for P-EBT. Please describe separately for the subset of children enrolled in non-NSLP-participating fully virtual institutions or homeschooling who may be eligible for P-EBT (see Q&As #16 and #25). Also describe what measures the state will take to prevent the issuance of benefits to school year 2021-2022 graduates and other non-students.
- How will the state determine and/or confirm each child's eligibility for free or reduced-price meals?² Please describe separately for SNAP-recipient and non-SNAP-recipient children, children in public and non-public schools, new students (such as kindergarteners and transfer students), children who become eligible during the school year, and the subset of children enrolled in non-NSLP-participating fully virtual institutions or homeschooling who may be eligible for P-EBT.
- How will the state confirm each child's lack of access to meals at school? Please describe separately for children in public and non-public schools.
- If the state's schools will continue to impose temporary virtual or hybrid schedules, describe the process that the state will use to update each child's in-person and virtual schedules (see Q&A #12). How frequently will that information be updated? (Note that this information must be updated no less frequently than every other month.)
- Describe the process that the state will use to identify individual students' COVID-related absences or virtual learning days, including the process to identify, confirm and monitor the enrollment status of children in non-NSLP-participating fully virtual institutions or homeschooling.
- Describe the roles and responsibilities of each state agency or other partners involved in P-EBT (e.g., which agency is responsible for confirming eligibility).
- Describe any simplifying assumptions the state proposes to use and the justification for using those simplifying assumptions. **Please address both in detail.** In addition, please describe any proposed measures that the state will take to address program integrity when using the proposed simplifying assumptions. *(Please review Q&A #25 on simplifying assumptions regarding fully virtual schools and homeschooling.)*

Response: [please use as much space as needed]

Schools and the Maine Department of Education (MDOE) will determine P-EBT eligibility for students enrolled in National School Lunch Program (NSLP) participating schools based on economically disadvantaged (ED) status and each student's daily learning model. ED status applies to students determined eligible for Free and Reduced-price Meals (FaRM) and students who did not apply for FaRM but were found to meet the same guidelines through an alternative application. Maine is unique in that it offers universal meals and does not have data that distinguishes students who completed the FaRM application from those who completed an alternative application. It is a reasonable assumption that if not for the state-funded universal school

² The burden associated with National School Lunch Program applications is covered under OMB Control # 0584-0026, 7 CFR Part 245 - *Determining Eligibility for Free & Reduced Price Meals and Free Milk in Schools*, expiration date 7/31/23.

meals these families would have completed a FaRM application and been found eligible for FaRM. Maine's Office for Family Independence (OFI) will issue P-EBT benefits.

MDOE already maintains a list of every student with an ED status. Only students enrolled for the 2022-2023 school year will be included in this list. The first step in determining P-EBT eligibility for a school aged child for any given month is determining if they are included in this list. OFI provides a monthly list to MDOE of children who may be directly certified due to receiving SNAP or TANF benefits. MDOE receives other data matches for children in foster care. MDOE matches these lists against its list of students enrolled in schools participating in the NSLP and includes matched students in the ED list. MDOE maintains lists of schools who qualify as CEP schools or participate in the Special Provision II program. Students listed as attending these schools are included in the ED list. Schools that are not CEP or Provision II schools provide lists of students determined ED based on homelessness, inclusion in a family engaged in migrant agricultural work, or based on individual FaRM or alternative applications. The process is no different for public schools or NSLP participating private schools.

Maine will use applications from July 1, 2022, through June 30, 2023. A child determined ED at any point during this period will be considered FaRM eligible for the entire period. As Maine has state-funded universal free meals for students attending public schools and publicly funded students at private schools, FaRM eligible families were not adequately incentivized to complete applications prior to the implementation of P-EBT. Therefore, it would be neither prudent nor fair to prorate P-EBT applications to the date of FaRM eligibility.

Schools will report attendance data to MDOE including if a child is learning remotely or in person and if they were present, had an excused absence, or had an unexcused absence. No schools are reporting to MDOE whether absences are specifically COVID-19 related. While some schools may collect that data at the local level the methodology is inconsistent and at best relies on families to be able to identify if a particular illness is COVID, influenza, RSV, or something else. For these reasons, the state believes that the 5 consecutive day simplifying assumption is more reliable. Remote learning (instances of students being physically absent from school but counted as present due to attending via some form of telecommunication) at traditional FaRM participating schools was rare prior to CoViD-19. We will assume that 5 or more consecutive days of excused absences and/or remote learning are CoViD-19 related, based on the Maine Center for Disease Control (CDC) 5 calendar day minimum isolation and quarantine recommendations. Maine and FNS agree we cannot be 100% sure these absences are CoViD-19 related, but it is a reasonable assumption that maintains program integrity. A series of 5 consecutive absences or remote days may be determined using days after the end of the PHE, however, those days will not be considered eligible days. (E.g. If a given student is remote May 9-16, with the 13th and 14st being a

weekend, the set of five consecutive days (May 9, 10, 11, 12, and 15) will convey eligibility but only the 9th 10th and 11th will be considered eligible days.)

MDOE will determine a school eligibility date based on the first day of a period of five consecutive days that the school had some or all students learning remotely or having an excused absence. MDOE will provide OFI with a quarterly list of students who qualified for FaRM and were learning remotely or had excused absences subsequent to their school's eligibility date. This list will include a count of such days for the issuance period. The deadline of the 15th day of the month following the close of the quarter is clearly and consistently communicated to school units. Maine acknowledges, however, that schools do update data for each month up through July 31st. Maine proposes to issue benefits based on the best available data on the due date. This approach will provide benefits to households as closely as possible to the month they experienced expense. Furthermore, given the September 30, 2023 deadline to issue all but reconciliation or restorative benefits, earlier issuance is necessary to give households the opportunity to complete FaRM and/or reconciliation applications as necessary.

OFI will issue benefits in the amount of the number of eligible days multiplied by \$8.18 (the value of the daily FaRM meals). To allow time for data collection and validation, benefits will be issued no sooner than 2 months after the end of the quarter of eligibility. The first issuance will include more than one quarter and be delayed. Each issuance will take place as quickly as practical after the approval of the plan. OFI will not issue P-EBT benefits prospectively.

MDOE will provide a copy of the (updated) list of ED students to OFI on a quarterly basis from the date the plan is approved through July 2023. This list will be key to the reconciliation process.

Parents who believe their student was not issued enough P-EBT benefits for a given quarter will have the opportunity to receive P-EBT through the reconciliation process. OFI will verify that students were ED and the absence status the school reported for the child and resolve any discrepancies when processing reconciliation applications. The applications will indicate to the parent or guardian that the absences must be COVID-19 related for eligibility for P-EBT.

Students who are home schooled or attending a fully virtual school may be eligible for P-EBT benefits. To be eligible, they must meet all of the following criteria:

- 1) They must be a Maine resident (living in the State. Persons in the State solely for vacation, shall not be considered residents. Residing in a permanent dwelling or having a mailing address is not required. NOTE: the individual must be able to be considered a resident, somewhere in the United States. If one or more other states refuse to consider the individual a resident of such state because the individual

was or is present in Maine, the individual is considered a resident of Maine).

- 2) On or after January 27, 2020 they must have been
 - a. attending an NSLP participating school in person, or
 - b. began school as a new student or new Maine resident and have always been homeschooled or enrolled in a non-NSLP virtual school.
- 3) They must be homeschooled or attending a fully virtual school due to concerns about COVID-19.
- 4) If not for concerns about COVID-19 they would be attending an NSLP participating school.
- 5) If they were attending the NSLP participating school, they would be FaRM eligible.
- 6) The household provided an application anytime between when this plan is approved and September 30, 2023.

OFI will make available a P-EBT application for students who are homeschooled or attending fully virtual schools. These applications will request:

- 1) identifying information for the student,
- 2) information about where to send a P-EBT card if eligible,
- 3) information about direct certification (receipt of SNAP or TANF, participation in foster care, etc.),
- 4) the name and address of the school the student attended in January 2020 (or would have attended if the child were old enough to attend school),
- 5) an assertion that the student is being homeschooled or fully attending a non-NSLP participating virtual school because of concerns related to COVID-19,
- 6) the name and address of the school the student would be attending if it were not for concerns related to COVID-19,
- 7) the standard information gathered in FaRM applications processed by NSLP schools, and
- 8) the signature of a parent or guardian attesting that all of the information is true and that they will report within 10 days if the child returns to in-person schooling.

The application will be available on OFI's SNAP webpage. Households may, also, request that one be mailed to them via the P-EBT email or phone line. The availability of this application will be communicated through the same community partners that have aided in other P-EBT communication. It will also be directly communicated by MDOE to known fully virtual schools and homeschooling organizations in the state.

OFI P-EBT staff will process these applications. The following steps will be taken to verify the information provided:

- 1) Existence and Maine residency of the child:
 - a. Since the vast majority of eligible children will be receiving other benefits from OFI, OFI staff will verify that the child exists and is a Maine resident using information availing in the Automated Client Eligibility System (ACES).

- b. If a child is not known to ACES and is—**
 - i. otherwise determined not to be P-EBT eligible, OFI staff will not attempt to verify existence and Maine residency**
 - ii. otherwise determined to be eligible or potentially eligible for P-EBT, OFI staff will include the child in a list sent monthly to MDOE. MDOE staff will verify if the child is listed with a Maine address in the enrollment records of a virtual school.**

If existence and residency cannot be verified this way, OFI staff will request verification from the family. Verification will be requested by letter. All verifications must be provided by September 30, 2023 via mail, e-mail, or fax. Acceptable verification includes a letter from their local public school district.

2) Attendance January 27, 2020:

OFI staff will compare the reported last school to a list of schools who participated in NSLP in School Year 19-20 provided by MDOE.

- a. If the school is out of state or the child was not school aged on January 27, 2020 family attestation will be accepted.**
- b. If the school is in state but is not on the list, no P-EBT eligibility exists.**
- c. If the school is on the list the name will be added to a list that will be sent to MDOE monthly to verify enrollment.**

3) Eligibility related to the school the student would be attending if not for concerns about COVID:

Household attestation of what school that would have been will be accepted. As a rural, local control state, many Maine towns who support elementary schools have local agreements to allow students to decide amongst multiple area schools for middle and high school as well as local private schools in their region. Due to the availability of regionally located options for schools, a student's address does not have a one-to-one relationship with schools for their grade level. It may not be practical or possible in many instances to ascertain what school a child would be attending simply by their address.

OFI staff will compare the reported school the student would be attending if not for concerns about COVID to a list of schools currently participating in NSLP provided by MDOE.

- a. If the school is not on the list, no P-EBT eligibility exists.**
- b. If the school is on the list, they will compare the reported school the student would be attending to the publicly available list of CEP and Provision II schools.**
 - i. If the school is on both lists the student is considered P-EBT eligible.**
 - ii. If the school is on the NSLP list but not the CEP/Provision II list, the student is potentially P-EBT eligible.**

4) FaRM direct certification information:

If the student would not have been attending a CEP or Provision II school but is otherwise potentially eligible—

- a. OFI staff will check ACES to verify if the student is enrolled in SNAP or TANF or if there is verification of the student being in foster care, homeless, or a member of a family engaged in migrant agricultural work.**
- b. If the applicant indicates that the child would be directly certified but verification is not available in ACES, verification will be requested of the family. Acceptable forms of verification will include benefit award letters, and collateral statements such as those from the foster placement agency, a shelter or other organization that serves individuals experiencing homelessness, or the farm that hired a family member as a migrant agricultural worker.**

5) Financial information:

- a. If a household attests to income in excess of 185% of the Federal Poverty Guidelines the student will be determined ineligible for P-EBT.**
- b. OFI staff will apply income verification steps to the first 100 applications potentially eligible for P-EBT prior to determining a household eligible for P-EBT.**
 - i. If the error rate for these applications is at or below 5% OFI will only verify income for 10% of the applications going forward.**
 - ii. If at any time the error rate exceeds 5% Maine will return to verifying all applications until the error rate is below 5%.**
 - iii. An application will be counted as an error if all of the following are true:**
 - 1. The child would otherwise be eligible for P-EBT;**
 - 2. The income test must be applied (the child would not have attended a CEP or Provision II school and would not be directly certified);**
 - 3. The attested income is below 185%; and**
 - 4. The verified income is above 185%.**
- c. Income verification steps:**
 - i. OFI staff will first consider verifications provided by the applicant. Acceptable verifications include award letters, court orders, paystubs, tax documents, business records, and statements from a financial institution. (Statements from a financial institution will be used to verify income from the institution, e.g. interest, dividends, and annuities. Deposits showing on the statements will not be used as verification of income from another source.)**
 - ii. OFI staff will also consider income in ACES that has been verified in the past 6 months.**
 - iii. To the extent that it is available in ACES OFI staff will consider electronic feeds related to unemployment and child support income.**

- iv. **Since income verification is requested on the application, if income cannot be verified through these steps, there is no P-EBT eligibility, but these applications will not be counted as an error.**

If the student is determined to be P-EBT eligible, the benefit would be issued as if they were fully remote for 8.75 days in August, 17.5 days in September, October, November, December, January, February, March, April, and 6.21 days in May

The student will not be considered P-EBT eligible based on remote learning the month following the month they are reported to be back in school. OFI will also perform a deduplicating process (comparing name and date of birth) to ensure that no child receiving P-EBT benefits through a school will also receive them for the same month based on a homeschool or fully virtual status.

Maine is able to ensure that children do not receive a duplicate benefit if they are both an ED student and under the age of 6 and receiving SNAP. The deduplicating is based on child specific data so if more than one person applied for a child, we will only issue one benefit per issuance month.

B. School Status

Standard for P-EBT Eligible School Status

Children are eligible for P-EBT benefits if they are eligible for free or reduced price meals, but are unable to receive those meals at school due to the operating status of their schools as outlined below:

1. The school is closed (including any delayed start or early closure to the school year), or the school is operating with reduced attendance or hours.
2. School closures do not include weekends, or days when the school is closed due to a holiday or regularly scheduled break (Thanksgiving, New Year's Day, Spring Break, etc.).
3. The period of closure or reduced attendance or hours must meet the current school year minimum 5 consecutive day threshold before any child is eligible for P-EBT benefits. Once the minimum 5 consecutive day threshold is met, children are eligible to receive P-EBT benefits for closures or reductions in hours and/or attendance due to COVID-19.

- Describe how the state will identify, confirm and monitor the status of individual schools. Also describe how the state will identify the period of duration of the closure, reduced hours, or reduced attendance of the state's schools.
- How will the state confirm that the child's school has been closed or is operating with reduced attendance or hours for a minimum of 5 consecutive days?
- Describe how this information will be obtained and how often the state will collect updated information from schools. (Note that this information must be updated no less frequently than every other month.)
- Describe any simplifying assumptions the state proposes to use and the justification for using those simplifying assumptions. Please address both in detail. In addition, please describe any proposed measures that ensure program integrity when using the proposed simplifying assumptions.

Response: [please use as much space as needed]

MDOE will determine eligibility based on each student’s daily learning model. Schools will report attendance data to MDOE including if a child is learning remotely (being physically absent from school but counted as present due to attending via some form of telecommunication) or in person and if they were present, had an excused absence, or had an unexcused absence. No schools are reporting to MDOE whether absences are specifically COVID-19 related. OFI will report to MDOE schools that students would have been attending as reported on applications for homeschool or fully virtual P-EBT. These students will be treated as fully remote for the purposes of determining school level eligibility. Remote learning at traditional FaRM participating schools was rare prior to CoViD-19. We will assume that 5 or more consecutive days of excused absences and/or remote learning are CoViD-19 related, based on the Maine Center for Disease Control (CDC) 5 calendar day minimum isolation and quarantine recommendations. Maine and FNS agree we cannot be 100% sure these absences are CoViD-19 related, but it is a reasonable assumption that maintains program integrity.

MDOE will determine a school eligibility date based on the first day of a period of five consecutive days that the school had some or all students learning remotely or having an excused absence. This process will be repeated with each issuance.

5. P-EBT for Children in Childcare (see Q&As #26-33)

Standard for P-EBT Eligibility

A child enrolled in a covered Childcare 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 Childcare facility. (Note that under the FFCRA, USDA deems all children under the age of 6 to be enrolled in a covered Childcare facility.)
3. During a public health emergency designation, the child’s Childcare 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 closed or is operating with reduced attendance or hours.

There are no changes for P-EBT for children in Childcare from SY 2021-2022. USDA encourages states to refer to their **approved** SY 2021-2022 Childcare 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 Childcare using the CACFP data method, we recommend that the state respond to all points as described in their **approved** SY 2021-2022 Childcare plan, such as:

- The state will confirm that there has been a statewide reduction in access to Childcare 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 Childcare centers and family day care homes as reported by the state on the FNS-44³. The state will exclude at-risk lunches and adult lunches.
- The state will set an average monthly P-EBT Childcare 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.

USDA will continue to support states with their calculations for the above approach.

If the state will establish a reduction in access to Childcare using a different approach, such as individual children's eligibility or proximity to area schools, then please describe below what the state will do and how this approach will be consistent with the above standard, such as:

- How will the state determine that a child's residence is in the area of one or more schools that is closed or is operating with reduced attendance or hours? (See Q&A #30)
- For children whose residence is *not* in the area of one or more closed schools or schools operating with reduced attendance or hours, how will the state determine those children's eligibility? (See Q&A #32-33). Specifically, how will the state determine that:
 - the child's Childcare facility is closed or is operating with reduced attendance or hours, or
 - the child's Childcare facility is in the area of one or more schools that are closed or operating with reduced attendance or hours?
- Are there any state or local public health ordinances that limit the capacity of Childcare facilities in response to COVID-19 in your state? If yes, describe how you

³ The burden associated with state reporting of CACFP meal claims via the FNS-44 form is covered under OMB Control number 0584-0594, *Food Programs Reporting System (FPRS)*, expiration date July 31, 2023.

will use those to find that all SNAP-participant children under age 6 are eligible for P-EBT in those areas?

- Describe the process that the state will use to update and re-establish each child's continued P-EBT eligibility and benefit level consistent with changes in the operating status of the Childcare facility or area schools? How frequently will that information be updated? (Note that this information must be updated no less frequently than every other month.)

Response: [please use as much space as needed]

OFI is solely responsible for the development and administration of this plan. OFI is, also, the SNAP issuing agency so no data need be shared.

OFI will issue to individuals who have verified Maine residency per SNAP guidelines. Benefits will be issued based on state-wide Child and Adult Care Food Program (CACFP) data. Therefore, all recipients will be verified to be in an area in which Childcare facilities are operating with reduced attendance or hours.

There are no state or local public health ordinances that limit the capacity of Childcare facilities in Maine in response to COVID-19.

OFI will apply five tests to establish eligibility for each month in question. To be considered eligible for Childcare P-EBT, the individual must pass all four tests.

- 1) Does the individual have a date of birth after October 15, 2016 (was under age 6 on the date schools use to determine enrollment)? The answer must be "yes."**
- 2) Does the child appear on the ED list? The answer must be "no."**
- 3) Was the child receiving SNAP for at least one day for the month in question? The answer must be "yes."**

EXCEPTION: Receipt of SNAP for a day after the end of the PHE will not convey P-EBT eligibility. (E.g. The PHE ended May 11. Two families apply for SNAP. One applies May 10. The other applies May 12. Both families are approved and receive their May SNAP benefits on June 9th. Even though the first family did not receive SNAP in May, since they received SNAP for May 10, their children under six are eligible for May P-EBT. Since the second family was not eligible for SNAP any days prior to the end of the PHE, their children under age 6 are not eligible for P-EBT.)

- 4) Did the child receive School Age P-EBT for any month so far in the 2022-2023 school year? The answer must be "no."**
- 5) Was there a statewide reduction of CACFP lunch claims (confirming a reduction in access to Childcare) for the month in question? The answer must be "yes."**

OFI will set an average monthly P-EBT Childcare benefit for each month of the 2022-2023 school year. The averages are calculated using the following factors:

- 1) **The reduction in aggregate lunch claims each month relative to the same month prior to the COVID related Public Health Emergency (January and February 2020 and March through December 2019). See Table 1.**
- 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 and adjusted for partial months: 175 instructional days ÷ 10 months = 17.5 days per month. Since most Maine schools start after August 15 and conclude the school year before June 15, eligible children will receive ½ the otherwise calculated benefit for August. The number of days for May will be prorated by the figure determined by dividing the date of the last day of the PHE by the date of the last day of the month, 6.21 eligible days.**
- 3) **The school year 2022-2023 P-EBT benefit per day of \$8.18**

MDOE will provide a list of students eligible for School Age P-EBT and the figures for the current and pre-pandemic CACFP lunch claims. OFI assumes all other roles and responsibilities associated with P-EBT.

MDOE will provide OFI with the sum of CACFP lunch claims for Childcare centers and family day care homes as reported by the state on the FNS-44 excluding at-risk lunches and adult lunches on a monthly basis. If there is no reduction for a given month, no Childcare P-EBT will be issued for that month. Since this is the same information that is reported to FNS, OFI will assume the P-EBT benefits are approved based on the figures provided.

MDOE will provide this data for each month through the end of the public health emergency.

OFI makes the following simplifying assumptions:

- 1) **Any child under age 6 on October 15, 2022, is enrolled in Childcare and not school for the entirety of the school year unless they are determined eligible for School Age P-EBT. Consistent with P-EBT's authorizing statute, all children under the age of 6 are deemed enrolled in a covered Childcare facility. There is no clearinghouse of Childcare enrollment information.**
- 2) **Any child enrolled in Childcare has seen a reduction in the availability of lunches consistent with the reduction in aggregate lunch claims for the month. Data for specific children or even specific centers is simply not available.**

6. Benefit Levels

Standard for Benefit Levels

1. The full daily benefit level for each eligible child is equal to the free reimbursement for a breakfast, a lunch, and a snack for school year 2022-2023. The benefit is multiplied by the number of days that the eligible child's status makes them eligible for P-EBT benefits.

SY 2022-2023 July 1, 2022 - June 30, 2023	Free Reimbursements USDA School Meal Programs			
	Lunch	Breakfast	Snack	Daily Total
Contiguous U.S.	\$4.43	\$2.67	\$1.08	\$8.18
Alaska	6.87	4.21	1.75	12.83
Hawaii, Guam, Virgin Islands, Puerto Rico	5.10	3.09	1.26	9.45

Notes:

1. Lunch rates include the 8 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
4. The figures include the temporary additional funding for school lunch and school breakfast authorized under Section 2 of the Keep Kids Fed Act of 2022.

Source: <https://www.federalregister.gov/documents/2022/07/26/2022-15892/national-school-lunch-special-milk-and-school-breakfast-programs-national-average-paymentsmaximum>

- Describe the benefit levels proposed, including how days of eligibility will be determined. What simplifying assumptions does the state propose? Why must the state make those simplifying assumptions? Please address both of these questions in detail.

Response: [please use as much space as needed]

For students enrolled in NSLP participating schools, OFI will use individual student learning model and attendance status to provide benefits to students. Students will receive \$8.18 per day for every day that they are learning remotely, were absent related to CoViD-19 or had an excused absences after the school has had reduced attendance for 5 or more consecutive days. Benefits will not be issued for any days after the end of the PHE. Maine is not using a tiered approach to benefit amounts. All simplified assumptions were described in section 4.

For students who are homeschooled or attending school fully virtually but would be attending an NSLP school if not for concerns related to COVID-19, OFI will issue \$8.18 for each student day in the month. This calculation will end the last day of the PHE or the month the child returns to in-person instruction which ever come first. The number of student days for this group will be the same as the number of student days for children under 6 (See Table 1.)

For Children under 6, OFI will be setting benefit levels using the CACFP data method. The state will set an average monthly P-EBT Childcare benefit for each month of the 2022-2023 school year. The averages will be calculated using the following factors:

- 1) The reduction in aggregate lunch claims each month relative to the same months immediately prior to the pandemic. (See Table 1.)**

EXCEPTION: Benefits for May will be based on the average percent reduction for March and April.

- 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 and adjusted for partial months: 175 instructional days ÷ 10 months = 17.5 days per month. Since most Maine schools start after August 15 and conclude the school year before June 15, eligible children will receive ½ the otherwise calculated benefit for August. The number of days for the May will be prorated by the figure determined by dividing the date of the last day of the PHE by the date of the last day of the month (6.21 eligible days).**
- 3) The school year 2022-2023 P-EBT benefit per day of \$8.18.**

Table 1: Reduction in CACFP lunch claims

CACFP lunch claims pre-pandemic months		CACFP lunch claims current school year months		Percent Reduction	Number of Student Days	Daily Benefit Amount	Monthly Benefit Amount
Aug 2019	167,491	Aug 2022	130,078	22.34	8.75	\$8.18	\$15.99
Sept 2019	144,019	Sept 2022	108,707	24.52	17.5	\$8.18	\$35.10
Oct 2019	165,564	Oct 2022	104,321	36.99	17.5	\$8.18	\$52.95
Nov 2019	136,980	Nov 2022	102,649	25.06	17.5	\$8.18	\$35.88
Dec 2019	132,933	Dec 2022	96,547	27.37	17.5	\$8.18	\$39.18
Jan 2020	158,349	Jan 2023	86,913	45.11	17.5	\$8.18	\$64.58
Feb 2020	140,140	Feb 2023	87,217	37.76	17.5	\$8.18	\$54.06
Mar 2019	160,744	Mar 2023			17.5	\$8.18	
Apr 2019	167,431	Apr 2023			17.5	\$8.18	
May 2019	177,149	Mar and Apr 2023			6.21	\$8.18	
Total	1,550,800				154.96	\$8.18	

7. 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: [please use as much space as needed]

Maine’s P-EBT hotline and e-mail are already active.

Day #0 FNS approves Maine’s P-EBT plan.

Day #7 OFI finalizes design of the various applications.

Day #14 OFI and MDOE update P-EBT specific information on websites and meet with community advocates and interested homeschool organizations and fully virtual schools for information sharing.

The MDOE will provide OFI with student specific learning models, daily attendance a list of all ED students and CACFP claim data. Each month’s student data is estimated to be provided 15 days after the end of the quarter with issuance being the first week of the following month. CACFP data will be provided 90 to 105 days after the end of

the month with issuance being the first week of the following month. Since this plan is anticipated to be approved by mid-June, August through March student benefits and August through February childcare benefits are anticipated to be issued in July. The first month(s) data and issuance may be further delayed if Maine does not have an approved plan in time.

Childcare benefits for May will be issued the first week in August based on the average percent reduction for March and April.

Benefits for students in homeschooling or fully virtual schooling will be processed at the same time as all other eligible students to allow for deduplication.

Reconciliation benefits will be issued with the next scheduled regular issuance. Reconciliation benefits that cannot be processed prior to the regular issuance for June will be issued in September of 2023 most likely in conjunction with summer P-EBT issuance.

Eligible children included in a SNAP household for the month of P-EBT eligibility or a subsequent month will receive their P-EBT benefits on the household's EBT card. Eligible children not included in a SNAP household for the month of P-EBT eligibility or a subsequent month will receive P-EBT benefits on a P-EBT card. Children who are not included in a SNAP household but have an existing P-EBT account will have benefits issued to their existing account (a new card will not automatically be issued). Children who are not included in a SNAP household and do not have an existing P-EBT account will have a card issued in their name. Returned cards will be destroyed. Replacement cards will be issued by OFI at the household's request.

The state will use sub-benefit type codes to distinguish between SNAP, P-EBT and D-SNAP. Maine's draw/spend prioritization will continue to be P-EBT, SNAP and then D-SNAP. P-EBT benefits will continue to be expunged consistently with the SNAP expungement timelines in effect.

8. 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.

To complete Section 8, we encourage states to use language from their approved plan from SY 2021-2022 with all necessary updates. -

- 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 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: [please use as much space as needed]

OFI has staff specifically to answer questions via a P-EBT hotline and a dedicated e-mail address and resolve disputes. OFI has an “application” for the reconciliation process. This application follows the requirements set forth in the guidance document “P-EBT guidance for parent-initiated application for benefits” distributed to OFI on 01/20/2022.

A separate application will be available for families whose children are homeschooled or attending a fully virtual school due to COVID. That application is detailed in Section 4.

Maine’s advocacy agencies have partnered with OFI and MDOE and continue to conduct significant outreach to Maine’s most vulnerable populations. This partnership and outreach will continue for SY 2023 P- EBT.

The OFI website will continue to be the source for most of the P-EBT information. Advocates, schools and the MDOE know to refer questions to our website, maine.gov/dhhs/ofiprograms-services/food-supplement.

Our P-EBT Q&A instructs households that do not want P-EBT to destroy the card and states that it is illegal to give away P-EBT benefits.

All the information USDA advised will be available on various State of Maine websites and/or they will have a link directing them to the OFI website where this information will be housed. This includes how to dispose of unwanted cards.

There will be a message on our call queue directing people to the website which will help reduce call volume. The Wilton Call Center (WCC) that screens eligibility calls and answers questions will be provided this information so that they can assist the caller and only transfer callers to the P-EBT hotline if they are unable to help them. OFI has strong relationships with the MDOE and many community partners and advocates. We will leverage our partners’ ability to assist with the distribution of P-EBT information.

Public postings and communications related to homeschooled or fully virtual students will clarify that P-EBT eligibility for this group is limited to students who were homeschooled or fully virtual between August 15, 2022 and May 11, 2023 due to concerns about COVID.

9. Over-issuance of P-EBT benefits

To complete Section 9, we encourage states to use language from their approved plan from SY 2021-2022 with all necessary updates.

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: [please use as much space as needed]

Maine commits to reporting all identified over issuances to NERO including the number of children affected, the dollar value and the nature of the error. Maine will provide a thorough explanation of corrective actions that it will take or has taken to prevent a recurrence of the error. All of this information will be provided via the spreadsheet that USDA provided to states. Maine will have the ability to track any detected over issuance of P-EBT benefits. This data will be available in report form for analysis to determine if a claim will be established and pursued. Maine will use thresholds for pursuing P-EBT claims that were approved by FNS. Consideration will be given to the cause of the overpayment when determining whether to establish a claim. Should a claim be established, repayment of the claim will not occur by recoupment of regular SNAP benefits, but rather through other avenues of benefit repayment collection. Maine will not pursue over issuances without approval and guidance from FNS.

10. 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.

Maine agrees.

11. 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 Item 9 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.

12. 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.”

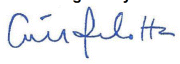
13. Civil Rights Statement

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.

14. Administration of State P-EBT Plan


The state 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.

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

DocuSigned by:

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Signature

Anthony Pelotte, Director, Office for Family Independence

DocuSigned by:

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Signature

Daniel Chuhta, Deputy Commissioner, Department of Education

Date of Request: 6/16/2023