

**State Plan for Pandemic EBT
Children in Child Care, 2022-2023**

Issuing Agency/Office:	FNS / Child Nutrition Programs, Supplemental Nutrition Assistance Program
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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 child care 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 Child Care, 2022-2023

1. **State:** Massachusetts

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 child care
- 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 non-school children in child care
- c. Estimated total *number* of children to which the state will issue P-EBT benefits.
 - Estimated number of non-school children in child care
- d. Tentative P-EBT issuance schedule (the dates on which you will issue P-EBT benefits).
 - Children in child care
- e. Names of state agencies involved in administering this plan.

Response:

This P-EBT plan for non-school aged children in child care covers school year 2022-2023 beginning on 9/1/22 and ending with the expiration of the Public Health Emergency on 5/11/23. Payments will be issued on May 25, 2023 and August 25, 2023. The plan will be administered by The Department of Transitional Assistance and The Department of Elementary and Secondary Education.

As this plan closely mirrors last year's approved plan the below estimates are informed based on last year's figures.

Estimated monthly and total *amount* of P-EBT benefits the state will issue within this plan/amendment's date range.

- Estimated amount issued to non-school children in child care
 - i. **\$23,068,320 in total**

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).

- ii. **\$2,713,920 monthly**
- f. Estimated total **number** of children to which the state will issue P-EBT benefits.
 - Estimated number of non-school children in child care
 - i. **130,183**

4. P-EBT for Children in Child Care (see Q&As #26-33)

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 closed 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 their **approved** SY 2021-2022 child care plan, 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-44². 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

² 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.

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 child care 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 child care facility is closed or is operating with reduced attendance or hours, or
 - the child's child care 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 child care facilities in response to COVID-19 in your state? If yes, describe how you 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 child care 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]

The following entities are involved in the administration of P-EBT for Children in Child Care:

- The Department of Transitional Assistance (DTA) is responsible for the issuance of P-EBT benefits, confirming a child's status in a SNAP household, as well as the issuance of P-EBT cards and replacement cards, notices to clients and provision of customer service and support.
- The Department of Elementary and Secondary Education (DESE) is responsible for the administration of the Child and Adult Care Food Program (CACFP), in

partnership tracking monthly meal reimbursement claims submitted by sponsoring organizations.

DESE collects and monitors CACFP meal data served in child care settings through the monthly claim process. Programs have 60 days following the end of each month to submit claims for CACFP meals. Massachusetts will use the most current CACFP lunch meal data available for child care centers and family day care homes to determine both whether Massachusetts is able to issue child care P-EBT benefits that month (i.e., if the 2022 data shows a decrease in the number of meals served compared to the same month in 2019) and also to set the child care P-EBT benefit amount. The state intends to issue child care P-EBT benefits on the following dates:

- September 2022 – January 2023 benefits will be issued on May 25
- February 2023 – May 2023 benefits will be issued on August 25

As a simplifying assumption, Massachusetts proposes that for each month that CACFP data shows an overall reduction in the number of meals served in child care settings, all children in Massachusetts under 6 years of age as of September 1, 2022 and in a household receiving SNAP benefits at any time during the plan period September 1, 2022 through the end of the Public Health Emergency, will be eligible for the child care P-EBT benefit for that month. DTA will determine and confirm a child’s receipt of SNAP benefits in accordance with the relevant SNAP privacy requirements using the State’s eligibility system.

Massachusetts is a comparatively small state geographically and many families cross county lines to attend child care. As a simplifying assumption Massachusetts proposes that the State of Massachusetts is considered an “area” for purposes of making the determination that one or more child care facilities have closed or operated with reduced attendance or hours each month for purposes of determining eligibility. Relying solely on county level CACFP data for purposes of determining eligibility for households receiving child care P-EBT benefits would unfairly impact many eligible families who reside in one county but send their children to child care in other towns and counties. In addition, relying on CACFP sponsor address data in terms of determining eligible regions is problematic because sponsor and sub-state level data are not aligned in terms of address information. The address of a child care sponsoring organization may not be in the same town or county as the centers or day care homes under that sponsor. Therefore, using the State of Massachusetts is the best proxy for making this determination.

5. 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 the benefit amount, Massachusetts will use the percentage reduction of CACFP lunch data compared to 2019 or 2020, as appropriate, as the basis of a child care P-EBT benefit amount. For example, Massachusetts will compare lunch data for months in SY 22-23 compared to corresponding months of SY 19-20, which means using the lunch claim data for January and February 2020, not January and February 2019, when comparing to lunch claim data for January and February 2023. In alignment with last year’s approved plan, Massachusetts’ proposed monthly benefit amount for September – April will be calculated using 18-days per month and nine³ days for the month of May. Massachusetts intends to average the percent changes over two different time periods and will reach out and provide exact amounts to FNS prior to issuance.

6. 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).

³ This prorated amount accounts for the expiration of the PHE on May 11, 2023.

- 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]

Massachusetts intends to average the percent changes over two different time periods.

- September 2022 – January 2023 benefits will be issued on May 25
- February 2023 – May 2023 benefits will be issued on August 25

The state intends to follow the same distribution model used in previous iterations of P-EBT. DTA households will receive their P-EBT benefits on their EBT card while non-DTA households will receive benefits on a unique P-EBT card. Since eligibility for P-EBT child care benefits require the child be part of a SNAP household all recipients of the P-EBT child care benefit will receive them on their regular EBT card.

Unused P-EBT benefits will be expunged after 274 days. New P-EBT cards will not be universally issued to families who have already been previously issued a P-EBT card. For families whose card has been lost or damaged, DTA has developed an online replacement card request portal and DTA is also accepting replacement card requests via its assistance line. The state will continue its use of the F9SS benefit code which was modified specifically for P-EBT. Currently the P-EBT draw/spend priority is last behind D-SNAP and SNAP. In consultation with Conduent, and in assessing the cost of the change order, the State has decided to keep this draw down order. Undeliverable cards will be returned to Conduent who will then provide the state with this information to share with school districts for outreach purposes (see proposal below in the “Customer Service” section).

7. 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]

DTA has a multi-faceted approach to ensuring robust and accurate communication to all eligible households regardless of primary language, lack of permanent address or access to technology. Prior to each issuance the state will send eligible households a notice explaining why they received the benefit and which months will be covered in the upcoming issuance. This notice will be followed by a text message sent the day the benefit is issued. DTA's Assistance Line will continue to serve as front line customer support. To aid field staff in assisting callers, DTA has added a P-EBT page in its BEACON eligibility system to allow field staff to specifically investigate a child's P-EBT eligibility, benefit amount and card issuance status. Additionally, a specific internal email/inbox was created where field staff may forward issues that cannot easily be resolved to a dedicated team.

Due to the requirement that a child be part of a SNAP household in order to receive P-EBT benefits the state anticipates significantly less challenges with communication than it contends with in administering P-EBT for school-aged children, especially as most households are used to checking their monthly balance on DTA Connect and will see an additional P-EBT payment.

8. 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]

Given the nature of the P-EBT child care population included in this plan, specifically that they are children known to DTA and their information is in the state's eligibility system, the state feels there is relatively low risk for overpayments. Regardless, the state remains committed to using all available resources to research and resolve issues related to child custody concerns, including the continued use of DTA's fraud unit to investigate claims of incorrect issuance. The state will contact USDA whenever issuance errors have been reported, identify the cause and take steps to ensure the issue does not occur again. Further, Massachusetts will utilize the spreadsheet provided by USDA to communicate a description of the error, the number of children involved, the steps taken to prevent the issue recurring, and the value of the over-issuance before issuing a corrected benefit to a different household and prior to attempting to reclaim any benefits. This plan reserves the state's right to take appropriate corrective action in cases of state error.

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, 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.

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.”

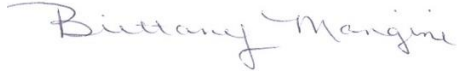
12. Civil Rights Statement

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. 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:



Signature
Brittany Mangini, Associate Commissioner for Food Security and Nutrition Programs
Massachusetts Department of Transitional Assistance



Signature
Robert M. Leshin, Director, Office for Food and Nutrition Programs
Massachusetts Department of Elementary and Secondary Education

Date of Request: February 6, 2023