

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

Issuing Agency/Office:	FNS / Child Nutrition Programs, Supplemental Nutrition Assistance Program
Title of Document:	State Plan for Pandemic EBT: Summer 2023
Document ID:	
Z-RIN:	
Date of Issuance:	February 16, 2023
Replaces:	N/A
Summary:	(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).
Disclaimer:	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.

Summer 2023¹
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: North Carolina

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.² (Consult the appropriate table in Section 4, “Benefit Levels.”)
 - Estimated amount issued to school children: \$102,000,000
- b. Estimated total number of school children to which the state will issue P-EBT benefits.
 - Estimated number of school children: 850,000
- 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.
 - School children
- d. Names of state agencies involved in administering this plan.

Response:

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

² 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.

See estimates stated above for response to sections 3.a and 3.b. North Carolina commits to informing USDA of any significant increase or decrease in the data points specified in this section during the summer period covered by this plan.

P-EBT will be administered in partnership between the North Carolina Department of Health and Human Services and the North Carolina Department of Public Instruction. North Carolina will leverage the approach for administering P-EBT in its previously approved P-EBT plan for summer 2022 with the following key differences:

- Like last year, North Carolina will do a single issuance in July for Summer P-EBT to the population found eligible at the end of the school year (May 2023), **however** North Carolina will **not** continue to determine eligibility for P-EBT through the summer period.
- Pursuant to federal guidance, children in child care cannot be provided summer 2023 P-EBT benefits because the PHE will end prior to the summer period beginning, therefore North Carolina will **not** issue Summer P-EBT for this group this year.

School children

For the purpose of Summer P-EBT, North Carolina will consider May the last month of the 2022-23 school year and will issue a single \$120 payment for Summer P-EBT in July 2023 to all known eligible students. The issuance will be staggered over a 10-day period beginning on or around the 21st of the month. North Carolina chose to issue in a single issuance due to system configuration, resource constraints and the fact that all issuances for P-EBT must be complete by September 30, 2023 this year.

Children not eligible for summer

In accordance with federal requirements the following children will not be eligible for summer P-EBT:

- Children in child care will not be eligible to receive Summer P-EBT because the COVID-19 Public Health Emergency (PHE) will end in May 2023.
- Fully virtual and homeschool students will not be eligible to receive Summer P-EBT since they did not attend an NSLP-participating school at the end of the school year immediately preceding the summer as is required for summer benefits.

North Carolina commits to issuing all P-EBT benefits for the school year and summer periods by September 30, 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:

North Carolina will use the list of students that were approved for free and reduced-price meals, including those attending CEP schools, during the last month (May) of SY 22-23 to ensure all eligible students are captured. To identify eligible school children, North Carolina will use data provided directly by the Public School Units (PSUs) and non-PSUs. NC DPI will instruct PSUs and non-PSUs to provide a list of all students that were approved for free or reduced-price meals as of the last month (May) of SY 22-23. NCDHHS will use these lists as the basis for identifying students eligible for Summer P-EBT to include all free or reduced-price meal eligible students regardless of whether or not they experienced COVID-19 related virtual learning or quarantine during the school year.

As stated in the previous section, North Carolina will **not** be taking additional applications for new P-EBT eligibility through the summer period. In order to inform the student population of this change from last summer, NC DHHS will communicate to the public early and often to apply for food assistance programs that are used in eligibility determination for P-EBT by May 1, 2023 and that May 31, 2023 is the eligibility deadline. Those that have approval by May 31, 2023 will be included in the May data provided by DPI to use for issuing summer benefits.

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.

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

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:

Key milestones within the tentative timeline for implementing the 2022-2023 P-EBT program are listed below. The issuance schedule may change from that described below depending on when the State Plan is approved and when system updates are ready for deployment.

The tentative timeline for initial implementation in SY 2022-2023 is as follows, assuming the Summer P-EBT state plan is approved:

April 3 – Public awareness campaign commences

May 1 – Publicized date by which families are encouraged to apply for free or reduced-price meal and NCFNS applications (for P-EBT consideration)

May 30 – Finalize the P-EBT system requirements to update P-EBT system in accordance with SY 2022-2023 approved State Plan

May 31 – Deadline for program eligibility

June 1 – Initiate development of the P-EBT system updates (planning, scheduling, coding) with SY 2022-2023 approved State Plan

June 1 – Inform partners to submit the student data: NC DPI, PSUs and non-PSUs (Discussions on criteria, submission instructions, and expectations will occur in advance)

June 12 – Deadline for PSUs, non-PSUs, and to submit student files

June 14 – Finalize P-EBT summer call center training materials and train call center staff

June 19 – File transfers from NC DPI to NC DHHS

July 14 – P-EBT system readiness complete (development, testing, promotion)

July 21 – File transfers to EBT processor FIS

July 21 – First issuance for SY 22-23 commences and benefits are deposited for both non-SNAP and SNAP households, staggering the issuance over several days

Note: 3-5 days may need to be added to these dates based on weekend and holiday schedules.

North Carolina intends to issue summer P-EBT benefits to eligible students with a one-time issuance, beginning on or around July 21, 2023, staggering the issuance over 10 days. The feasibility of a July implementation is dependent on State Plan approval and P-EBT system readiness. North Carolina will update USDA if there are significant changes to the approved issuance schedule.

The State intends to follow the same distribution model utilized in the Summer 2022 P-EBT program. North Carolina Food and Nutrition Services (NCFNS) households will receive their P-EBT benefits on their EBT card while non-NCFNS households will receive benefits on a unique P-EBT card. New P-EBT cards will not automatically be issued to households who have already been previously issued a P-EBT card and received benefits last year. Newly eligible households will be mailed benefit cards to their household address. For families whose card has been lost or damaged, NC DHHS has developed an online replacement card portal and NC DHHS is also accepting replacement card requests via its call center assistance line. Undeliverable cards will be returned to the EBT processor, FIS, who will in-turn provide the counties with information on undeliverable cards.

P-EBT benefits will follow the same expungement rules that the state follows for SNAP. The state will continue its use of the F9SS benefit code which was modified specifically for P-EBT to distinguish between P-EBT and other food assistance benefits. The P-EBT draw/spend priority is first, ahead of D-SNAP and SNAP.

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:

NC DHHS 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.

NC DHHS' EBT Call Center will continue to serve as customer support for calls triaged through the P-EBT call center, which will be a call center to specifically address the needs of P-EBT customers through the summer, including issuance-related concerns. This new call center will be the main support mechanism for P-EBT customers, taking the majority of the P-EBT workload from the NC DHHS EBT Call Center. While the development of this call center is ongoing, North Carolina has no concerns about its imminent ability to research and resolve issues in a timely manner, and the state commits to employing sufficient staff, materials and training. To aid field staff in assisting callers, staff has access to P-EBT reports and ebtEDGE to allow field staff to specifically investigate a child's P-EBT eligibility, benefit amount and card issuance status. NC DPI also continues to operate a P-EBT phone line to assist callers with concerns specific to school data.

North Carolina has an independent P-EBT website (www.ncdhhs.gov/pebt) which provides information on the State's P-EBT program and answers to frequently asked questions and continues to be maintained and updated to provide the most current information. NC DHHS has deployed a chat bot to the website to provide an additional option for customer support and self-service. Additionally, a specific email/inbox exists internally at NC DHHS where counties and state field staff may forward issues when they cannot easily be resolved. A dedicated staff member will monitor this inbox and forward the emails to the appropriate staff to problem solve issues utilizing the records provided by the PSU. In instances where NC DHHS and NC DPI are unable to locate a child in their records, the family will be referred to their respective PSU where issues of eligibility can be more easily determined.

The state is committed to serving all eligible children regardless of primary language. The P-EBT website (www.ncdhhs.gov/pebt) is translated into multiple languages upon selection from 23 language options. Additionally, a Spanish version of the P-EBT website has been created. Furthermore, all outreach materials have been translated into Spanish as required. These materials will be shared with PSUs, partners and other community organizations to distribute to families.

Public Awareness Campaign: The state will conduct a public information campaign through use of websites www.ncdhhs.gov and www.covid19.ncdhhs.gov and social media platforms. North Carolina intends to issue a press release in English and Spanish to target state-wide and local news organizations.

Similar to the Summer 2022 P-EBT program, the State will create communication toolkits and will work with schools and community organizations to push out P-EBT materials in English and Spanish (sample website copy, sample social media posts and graphics, flyers,

etc.). These outreach materials will be shared with schools, community organizations, partner agencies and other stakeholders.

As was done for summer 2022 and approved by USDA, a P-EBT eligibility notice for summer 2022-2023 will be posted on the NC DHHS P-EBT website in lieu of sending notices directly to households. The press release, websites and social media posts will direct the general public to the eligibility notice published on the website. The notice will include an explanation of P-EBT generally, eligibility for the program, benefit amounts, issuance cycles, how to check balances, how to request a replacement card, where P-EBT can be used, who to contact for questions and how to opt out. The notice will also include information on where to go for step-by-step instructions on how to PIN their card and what to do if they do not want to use the benefits. The notice will be available in English and Spanish and will direct clients to www.ncdhhs.gov/pebt or NC DHHS' EBT call center for further information or assistance. Due to the confusing nature of the PHE end date on May 11th, and the impact it will have on families participating in P-EBT, we will be communicating early and often about what benefits will look like after the end of the PHE.

The EBT processor, FIS, tracks P-EBT card pinned rates by city and town. The State can use that data as needed to partner with PSUs that have high rates of unpinned cards which may indicate that families are having trouble accessing their benefits.

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:

With regards to P-EBT over-issuances, NC DHHS will model its approach after the established NCFNS SNAP claims management plan. The state will generate a monthly report to identify all potential over-issued P-EBT benefits. These cases will be tracked in the NC FAST eligibility system and will be coded as administrative error claims, unless proven to be due to household error or misrepresentation, to avoid reduction of NCFNS SNAP benefits as part of the repayment arrangement. North Carolina has considered the fact that many households received their benefits, without application, through an automated match process that relied on the State's own administrative data and that reclaiming benefits under those circumstances would likely burden affected households. North Carolina has also considered the likelihood of recovery with respect to the costs and administrative burden for recovery. With these considerations, North Carolina will not pursue claims against recipients of P-EBT benefits. When NC DHHS discovers instances where a child's benefits went to the wrong household or child, NC DHHS will research those cases individually and issue benefits only when the state confirms that its original issuance was made in error. NC DHHS will not issue duplicate benefits in cases of disputed guardianship if the state believes the original issuance was correct. North Carolina commits to filling out the spreadsheet provided by the USDA last year documenting size of the overpayment, the number of children affected, the reason for the error, and a thorough explanation of the corrective action that the state will take or has taken to prevent a recurrence of the 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. 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:

(Signatures with original submission)

Signature
Lynn Harvey, Director, School Nutrition and District Operations
North Carolina Department of Public Instruction

(Signatures with original submission)

Signature
Yvonne Copeland, Director, Division of Child and Family Well-Being
North Carolina Department of Health and Human Services

Date of Request: Original Submission February 22, 2023, updates made per USDA feedback