

**State Plan for Pandemic EBT
Children in School and Child Care, 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 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:** Nebraska

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 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 school children in SNAP households.
 - Estimated amount issued to school children in non-SNAP households
 - 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 school children in SNAP households
 - Estimated number of school children in non-SNAP households
 - 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).
 - School children in SNAP households
 - School children in non-SNAP households
 - Children in child care
- e. Names of state agencies involved in administering this plan.

Response:

Nebraska proposes this 2022-2023 plan for the date range for children in school during the school year 2022-2023 or August 12, 2022, through May 11, 2023.

The estimated total of school children for whom the State will issue P-EBT benefits is 50,000. Of that number, 25,000 are school children in SNAP households and 25,000 are non-SNAP

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).

households. This number arrived from using P-EBT issuance numbers from the 2021-2022 school year.

The estimated monthly benefit amount was arrived at using the number of students that received benefits during the 2021-2022 school year. and the total number of children is 50,000. The estimated monthly benefit amount is \$6,950,000 (50,000 x \$139). The total benefit for the ten months of the school year is \$69,500,000 (\$6,950,000 x 10). The split between SNAP and non-SNAP is approximately 50%. The estimated monthly benefit for SNAP is \$34,750,000.00 and the estimated total benefit amount for non-SNAP households is \$34,750,000.00.

Nebraska’s tentative issuance schedule is found in section 7.

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

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.

- 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:

The responses below are about benefits for August 2022 through May 11, 2023.

Information on eligible students will be received directly from the school. Schools will be instructed to upload a list of their students determined eligible for free or reduced-price meals for the school year 2022-2023. Schools will also be instructed to remove ineligible students and add students newly eligible by way of direct certification, other categorical eligibility sources, or via the 2022-2023 National School Lunch Program (NSLP) approved household applications. Schools will be instructed to only provide data on eligible students and will not provide data on non-students or ineligible students.

NDE will verify the eligibility of the students by comparing the list to its Adviser student information system. Districts will submit their report monthly to provide the most current student data including those newly determined as eligible for meal benefits, transfers, new to the district, etc. Schools are accepting new applications from families leading to new determinations being made. Nebraska continues to conduct Direct Certification daily and continues to directly certify children who are newly eligible this year.

There is no way to track on an individual student level who can access meals and who cannot. Nebraska will make the simplifying assumption that students that are not in school due to COVID-related absences or adjusted schedules do not have meals available. Therefore, a student that is learning outside of the school building (fully remote, quarantined, or split schedule) will not have access to meals. For schools that are tracking COVID-related absences or virtual learning days, the school will provide the actual count of the missed or virtual days for each student with COVID-related absences or virtual learning days. For schools that cannot track COVID-related absences, any excused absence of 5 consecutive days or more will be presumed

COVID-related absences. The school will provide the actual count of the excused absence days for the month and the student will be assigned to the appropriate tier for benefits. For families attending schools using the 5 consecutive day threshold as a proxy for a COVID-related absence, the family may make a claim with the state for any COVID-related absence that is less than 5 consecutive days. The family will attest on a reconsideration form created by the state that the absent days are COVID-related, and the state will verify with the school that the absence was excused before issuing benefits for those days.

Currently, Nebraska has no schools operating a hybrid schedule. Nebraska is anticipating providing benefits to fully remote and quarantined students. Quarantine includes both required quarantine per the health department as well as missed days for self-quarantining or isolation. Benefits will be provided to quarantined students based on the length of the quarantine. Students will receive tiered benefit amounts based on the number of days quarantined. Fully remote students will be included in the 16 or more days tier unless their fully remote status changes. This will apply to all categories of students including SNAP, non-SNAP, public, and non-public.

As Nebraska currently has no hybrid learning environments, a three-tiered-benefit level will be used to determine benefit amounts for eligible students. Nebraska schools will place eligible students in one of three tiers based on the length of their approved COVID-related absences and virtual learning days. A 3-day benefit amount will be issued for children with 1-5 COVID-related absences for a monthly amount of \$25. A 10-day benefit amount will be issued for children with 6-15 COVID-related absences for a monthly amount of \$82. A full-time 17-day benefit amount will be issued for children with 16 or more COVID-related absences for a monthly amount of \$139.

Each school district (public and non-public) will provide data to NDE through a secure upload portal, this data will include a list of students determined eligible for free and reduced-price meals and meeting the requirements for P-EBT. This list will be used to issue benefits and includes students' first and last names, date of birth, mailing address, gender, parent/guardian name(s), name of the school, and school district. NDE will use the direct certification list to indicate which students are SNAP-eligible by adding a program case number to the SNAP file. Public and non-public schools will update their eligible students monthly to capture those students new to the district or transferred out of the district or newly determined as eligible for free or reduced meal benefits and P-EBT benefits.

NDE is responsible for the following:

- Training and communication with all school districts in Nebraska in regards to P-EBT eligibility, learning environments, and providing data. This includes webinars, emails, phone calls, etc.
- Creating and maintaining a secure portal for school districts to provide and upload data as requested.
- Assist school districts with eligibility determinations and any problems occurring with the submission of data.
- Preparing data received from school districts for DHHS. This includes removing duplicate students and formatting data.

- Participate in weekly meetings with DHHS to ensure planning is complete and troubleshoot any problems discovered.

DHHS is responsible for the following:

- Providing coordination with our EBT card vendor, FIS. This includes obtaining updated cost agreements and ensuring FIS understands the issuance plans. Separate meetings are held with the FIS team and DHHS as needed.
- Provide communication to the public related to P-EBT benefits. This includes press releases, a FAQ, and information to internal SNAP eligibility staff.
- Issue benefits to families using the file received from NDE. Once the file is received, DHHS checks for duplicates and adds the benefit amount for each family. The files are then tested before submission to FIS.
- Ensure benefits are issued correctly after file transmission to FIS.
- Answer direct questions from families regarding P-EBT eligibility or concerns about benefit amounts. This is done through a specific P-EBT email box as well as staff available to answer questions when calling the Customer Service Center.
- Provide training to staff responsible for answering questions from families.
- Participate in weekly meetings with NDE to ensure planning is complete and troubleshoot any problems discovered.

The state will rely on schools to provide data of eligible children for the 2022-2023 school year. The simplifying assumption will be applied to students in quarantine and their length of quarantine as explained above. The schools will be responsible for providing the data for the determination of the benefit amount.

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:

Schools in Nebraska are currently all in person with a few options available for full-time remote learning. Schools will provide information on the eligible students to NDE through a secure portal. Each school district will be responsible for providing a list of eligible P-EBT students to NDE.

Currently, schools in Nebraska are either in school or providing a full-time remote option. There are no split (hybrid) learning environments. However, the quarantined students that are tracked and reported eligible will be classified into three different tiers according to the number of days absent. Nebraska will be issuing benefits retrospectively based on the student data provided by the school districts. The five consecutive day standard is a school standard, not a student-level standard. Once a school has at least one student meet five consecutive days with COVID-related absence or virtual instruction, all other P-EBT eligible children may receive benefits. There may be students in some schools that will receive benefits for less than five days as long as at least one student has made the school eligible.

Nebraska will rely on data for eligible students provided directly by the schools. Data will be obtained monthly from the school level, as this is the best data available. It will be the responsibility of each school district to provide the student data for all eligible students.

Each school will report the data for its students. The data will be provided monthly, so changes will be addressed monthly. NDE will verify the data and ensure only schools that have met the minimum of 5 consecutive days are providing data for eligible students. This will be verified by NDE and reviewed for any new status updates. Schools and school districts -will be asked to verify their five consecutive days at the time student data is submitted.

Virtual and Homeschool Children (new for 2022-2023):

There is a new category of students that will be considered for the 2022-2023 school year, that was previously not considered eligible. Students who were disenrolled from NSLP-participating schools due to concerns about COVID-19 from the start of the pandemic (January 27, 2020) thru

the current 2022-2023 school year. Nebraska will utilize an application process to identify virtual school and homeschool students that may be eligible to participate in P-EBT based on previous attendance at an NSLP participating school and free or reduced-price meal eligibility. DHHS will issue a press release and include messaging on its websites regarding the eligibility requirements for this population. The press release will clarify that P-EBT benefits are only available to a narrow subset of children who are enrolled in a fully virtual institution or began homeschooling since the January 27, 2020 start of the pandemic due to concerns about COVID-19. Potentially eligible students will be directed to complete an application developed by DHHS available on the DHHS website with a tentative June 2, 2023 deadline for submission.

The application form will be completed by the parent/guardian. The form will ask parents/guardians to provide the reason for disenrollment and whether the child is home schooled or attending virtual school. The application will require the following information:

- Demographic information (names, date of birth, address, phone number, and email address);
- Number of individuals living in the household;
- Income verification of the household's gross monthly income;
- The name of the school the child(ren) would have attended;
- Attestation to a COVID-related reason for disenrollment;
- Submission of a free and reduced-price meal application;
- The date of disenrollment; and,
- An electronic signature will be required for submission.

If the parent/guardian attests to the following, the student will be deemed automatically eligible:

- The student left the NSLP participating school for COVID-related reasons;
- The date the student left was after January 27, 2020; and,
- The family is participating in SNAP or Temporary Assistance to Needy Families (TANF).

DHHS will verify participation in SNAP or TANF through the state's eligibility system. Similarly, if the school is a Community Eligibility Provision school, then the child will meet the P-EBT eligibility requirement for free or reduced-priced meals. NDE will verify the student's prior enrollment in an NSLP school and their disenrollment date. Nebraska can confirm that the child's participation in SNAP or TANF and prior enrollment in an NSLP school will be verified by either DHHS or NDE.

Nebraska is not updating plans for school years 2019-2020, 2020-2021, or 2021-2022 to issue benefits to this population of children. P-EBT benefits will only be issued for the 2022-2023 school year. Eligible homeschooled children and children in fully virtual schools, will be issued P-EBT benefits for the plan period of August 12, 2022, through May 11, 2023. Eligible homeschooled/ virtual students will receive the tier 3 monthly benefit amount for August 2022 – April 2023 and will receive \$74.00 for May 2023 due to the PHE ending on May 11, 2023. This benefit amount was calculated $\$8.18 \times 9 = \73.62 , \$74.00.

Nebraska will have DHHS P-EBT trained staff processing the homeschool applications after the application closing window. The trained staff will verify that each application includes acceptable income verification and that the potentially eligible student was homeschooled or

enrolled in a virtual learning environment due to COVID-19 before proceeding with the application process. Nebraska Department of Education will obtain access to a portal in their system that school districts are required to use to verify students that have applied and been approved for exempt status (home school/virtual students). Children in kindergarten through 2nd grade who never attended school in person due to COVID can be verified using the exempt portal as per rule 13-001.03 A parent or legal guardian of a child who will reach six years of age prior to January 1 of the then-current school year but has not reached seven years of age (and wish to delay entry until age seven), must sign an affidavit stating that the parent or legal guardian intends for the child to participate in an Exempt School and intends to file for exempt status with the Commissioner of Education on or before the child's seventh birthday. In addition, Nebraska will have access to the SNAP/Medicaid eligibility system, NFOCUS to assist in verifying the existence and identity of these children. If needed, the parent/guardian will be required to provide proof of the child's identity. Acceptable forms of proof include the following:

- Birth certificate
- Immigration or Naturalization Documents
- Hospital Birth Record
- U.S. Passport
- Any other documentation that may be used to verify identity

If we are unable to verify the child's identity then the homeschool application will be denied and no benefits issued.

Nebraska will implement a verification component for the free or reduced-price section of the P-EBT application. It will entail the following:

- Nebraska will require all applicants to submit income documentation at the time of the application.
- Nebraska will use the documentation provided by households with their applications to verify the eligibility of the first 100 applicants.
- If the error rate for this first 100 is at or below 5 percent, Nebraska will review and verify the documentation for 10 percent of the remaining applications.
- If at any time, the error rate rises above 5 percent, Nebraska will resume verifying the documentation for all applicants.

5. 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-44³. The state will exclude at-risk lunches and adult lunches.
- The state will set an average monthly P-EBT child care benefit using the reduction in aggregate lunch claims over a designated period of time, the average number of school instructional days over the course of the current school year, and the SY 2022-2023 P-EBT benefit per day.
- The designated period over which the state will set the average monthly benefit (e.g., a separate average monthly benefit for the fall semester and the spring semester).
- The state will monitor CACFP lunch claims through the end of the school year (or through the end of the public health emergency, as applicable) and will only issue

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.

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 see the separate child care P-EBT plan, submitted separately.

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:

Nebraska will use a 3-tiered benefit level to determine benefit amounts once a school has met the five consecutive days for P-EBT eligibility. The following indicates the 3-tiers:

Number of days out of school	Number of days used for the benefit amount	Monthly benefit amount
Tier 1: 1 – 5	3 days	\$25
Tier 2: 6 – 15	10 days	\$82
Tier 3: 16 or more	17 days	\$139

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:

Estimated timeline: Dates are subject to change.

Benefit Months	Date Schools Provide Data to NDE	Date NDE Provides Data to DHHS	Issuance Dates
Fall Semester (August 2022- December 2022)	May 15, 2023	May 22, 2023	June 22, 2023
Spring Semester (January 2023 – May 2023)	June 30, 2023	July 10, 2023	August 15, 2023
Homeschool Students (August 2022 – May 2023)	Application open May 1, 2023 - June 2, 2023	July 10, 2023	August 15, 2023

Nebraska will continue to use the white and black P-EBT card that was used with previous P-EBT issuances. P-EBT cards will be issued to all families that have not previously received a P-EBT card or whose information has changed, requiring a new card. Additional benefits will be placed on P-EBT cards that are initially issued. New P-EBT cards will be issued to existing P-EBT households if their address information or parent contact information has changed. All efforts are made to issue benefits to existing P-EBT cards. Replacement cards may be requested through the card vendor, FIS or the state may request them on behalf of the client.

Nebraska will continue to distinguish P-EBT from SNAP and DSNAP in the same manner as the previous rounds. A sub-benefit type of P-EBT will be used for the issuance files. The spend priority and P-EBT expungement rules will remain the same as in previous rounds. P-EBT will be spent first, ahead of any existing authorizations. P-EBT will be spent first, ahead of any existing authorizations, and regular SNAP expungement regulations will be followed.

Returned P-EBT cards will be handled the same as in previous rounds. The cards are returned to the state's issuance and collection department. Once returned cards are received, clients are contacted to obtain the correct mailing address so that the card may be issued to the correct address. In addition, replacement cards may be requested through the card vendor, FIS or the state may request them on behalf of the client. The proposed timeline has been developed in cooperation with FIS, Nebraska's EBT processor, and all relevant State agencies. Adjustments may be made to the proposed timeline as needed.

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:

Nebraska established a specific email box for P-EBT-related questions and concerns and SNAP Program staff monitor this mailbox. In addition, the ACCESSNebraska phone line will be updated so that a specific group of staff will answer P-EBT-specific questions and concerns. This will ensure questions are answered promptly. The helpdesk at NDE will also be available to help schools with technical questions when it comes to uploading the requested data.

To help serve groups with potential access problems, Nebraska will utilize our SNAP Outreach partners and other community agencies to help provide information and assist these populations. Materials will be developed in multiple languages and provided to agencies that will be helping with the distribution of information

The state will conduct a public information campaign using websites (DHHS and NDE) and social media platforms. Nebraska will issue press releases to target statewide and local news organizations. The state will work with schools and community agencies to push out template flyers, emails, and possibly text messages.

Direct messaging: P-EBT-eligible families will receive information regarding P-EBT through their schools as well as through the public information campaign facilitated by DHHS and NDE. Each P-EBT card will contain an insert that contains information about PEBT benefits and card usage. Nebraska eligibility staff will also be aware of necessary PEBT information so that it may be discussed with families as they call in to check on their benefits. Information will be provided to SNAP and non-SNAP households in the same manner.

Reconsideration Process: Any disputes of eligibility or issuance errors will be addressed, as they become known. Clients will have multiple avenues to report grievances. Both NDE and DHHS will work with families to ensure understanding of the program and that accurate benefits are issued. Nebraska will work to ensure all families are treated with dignity and respect while working to resolve all disputes and issuance errors. Families will be provided with an opportunity to request a reconsideration of the student's modality based on a COVID-related absence. This process is a manual process completed by both DHHS and NDE. Families must

complete the reconsideration request attesting to their student's COVID-19 related absence eligibility. DHHS and NDE staff will review the individual circumstances and, as necessary, provide P-EBT benefits. Nebraska will have the ability to issue corrections to benefit amounts either at the time of the next regularly scheduled issuance or create a separate issuance as needed.

- COVID-related absences for P-EBT eligibility will be defined as any absence where the school directs students to stay home for a COVID-related reason. This would include a school-ordered quarantine of a student, a group of students, a classroom, or a school. It would also include any other stay-at-home order mandated by the school, whatever its duration if it is part of the school or the state's protocol for managing COVID outbreaks, positive tests, or potential exposure.
- An absence initiated by the parent that is recognized and accepted by school officials as COVID-related. This could include a parent's decision to keep their child home after a positive test or possible exposure to COVID. It could also include a parent's decision to keep their child home after exposure at school in cases where the school does not direct the child to stay home.

Nebraska will work with the school districts here to confirm the number of eligible COVID-related absences that were excused and virtual learning days before issuing any benefits. Parents will have to attest to their student's absence being COVID-related.

NDE will assist in this process by allowing DHHS P-EBT trained staff access to data to verify the school met the five consecutive days.

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

Public inquiries related to P-EBT benefits may be directed to the following email address or phone numbers:

Email: DHHS.NebraskaPEBT@nebraska.gov

Phone: 800-383-4278 or 402-471-9043

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:

Nebraska does not issue P-EBT benefits through our SNAP eligibility system. Any over-issuances that are discovered will be handled by contacting USDA before any action is taken. Nebraska will ensure that regular SNAP benefits are not used for any over-issuances and will instead use a direct billing approach for these issues if needed. Nebraska commits to completing the over-issuance spreadsheet provided to states by USDA, and will document document the 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.

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.

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:

Signature

Dannette R. Smith, Chief Executive Officer
Department of Health and Human Services

Signature
Kayte Partch, Director of Child and Nutrition Programs
Department of Education

Date of Request: _____