

**State Plan for Pandemic EBT
Children in School Summer 2023**

Issuing Agency/Office:	FNS / Child Nutrition Programs, Supplemental Nutrition Assistance Program
Title of Document:	State Plan for Pandemic EBT: Children in School , Summer 2023
Document ID:	
Z-RIN:	
Date of Issuance:	January 11, 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)

Additional context and background for this document can be found at:
<https://www.fns.usda.gov/snap/state-guidance-coronavirus-pandemic-ebt-pebt>

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

State Plan for Pandemic EBT Children in School Summer 2023¹

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: Nebraska

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 within this amendment's date range. (Consult the appropriate table in Section 4, "Benefit Levels.")
 - Estimated amount issued to school children
 - Estimated amount issued to non-school children in child care²
- b. Estimated total number of children to which the state will issue P-EBT benefits.
 - Estimated number of school children
 - Estimated number of non-school children in child care
- c. Tentative P-EBT issuance schedule (the date(s) on which Summer P-EBT benefits will be issued). Note that if the federal public health emergency (PHE) declaration for COVID-19 ends prior to September 30, 2023, states must issue all P-EBT benefits for summer 2023 by September 30, 2023. USDA will only approve summer 2023 P-EBT plans that commit to issuing all benefits by September 30, 2023, as long as it remains a possibility that the public health emergency will end prior to September 30, 2023.
 - School children: not previously received benefits.
 - Children in child care:
 - Please provide tentative issuance dates for the **potential** benefit for children in child care. Note: USDA will release additional guidance before the start of the summer to confirm the availability and finalize the value of the summer 2023 P-EBT benefit for children in child care.

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

² Conditional on the federal public health emergency declaration for COVID-19 extending into the summer months.

d. Names of state agencies involved in administering this plan.

Response:

Nebraska is estimating issuing 2023 Summer P-EBT benefits to approximately 150,000 school children. The estimated amount of benefits for school children is \$18,000,000.

School children: Children provided as eligible to NDE by July 28, 2023, will be issued benefits on September 12, 2023, and September 14, 2023. Benefits will be issued to existing P-EBT cards for families that received benefits during previous school year issuances. New P-EBT cards will be issued for families that have not previously received benefits.

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, should that become necessary as a result of the expiration of the COVID public health emergency.

Response:

School districts are reporting eligible students to NDE and NDE provides data to DHHS for issuance. NDE will work with each school district to provide a file with their eligible students for the last month of the school year. This does not include children who dropped out of school or graduated before the end of the school year. The portal used by the schools to submit data for the school year has been modified to accept summer data submissions. NDE will provide communication to school districts with instructions on how and when to submit data.

Nebraska has determined school-age children are eligible for Summer P-EBT benefits if they were approved for free or reduced-price meals for the last month of school in 2023.

5. Summer P-EBT for children in child care:

- Describe how the state will identify children under age 6³ who are enrolled in SNAP during the covered summer period.
- Describe how the state will identify children who are part of a SNAP household who are newly eligible for P-EBT child care benefits during the covered summer period.

Response: [please use as much space as needed]

Benefits will not be issued to children in child care.

6. 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

(USDA will provide additional guidance at a later date on pro-rated summer child care benefits in the event that the PHE extends into the summer months but ends prior to the end of the summer.)

³ See school year 2022-2023 P-EBT Q&A #29 ([click here](#)) for additional information on children who reach their 6th birthday after the start of school year 2022-2023.

7. 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:

Estimated timeline:

Dates are subject to change.

Benefit Months	Date Schools Provide Data to NDE	Date NDE Provides Data to DHHS	Issuance Dates
Omaha Metro Area	July 28, 2023	August 10, 2023	September 12, 2023
All other districts	July 28, 2023	August 10, 2023	September 14, 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 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

To complete Section 8, 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:

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 P-EBT 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.

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 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:

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 filing out the spreadsheet provided to us by USDA last year. Nebraska will 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. 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.

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. 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:

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



Signature
Kayte Partch, Child Nutrition Programs Director
Department of Education

Date of Request: February 6, 2023