

**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
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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.

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*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:** New Jersey

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.")
- b. Estimated total number of school children to which the state will issue P-EBT benefits.
- 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.
- d. Names of state agencies involved in administering this plan.

Response:

a. New Jersey estimates the total amount of P-EBT benefits issued to school children for the covered summer P-EBT period will be \$82,200,000.

b. New Jersey estimates issuing P-EBT benefits to 685,000 school children. This estimate is a median number based on the number of children participating in the NSLP in New Jersey in November 2022 (601,415) compared to the FFY2022 NSLP total participation data for New Jersey as of February 10, 2023 (763,671).

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.

c. New Jersey proposes a tentative P-EBT schedule that will include issuing summer P-EBT benefits in multiple issuances for data received by the requested data submission/data availability date. For school children approved for free or reduced-price school meals at the end of the school year, School Food Authorities (SFAs) will submit the data by the 10th of the provided cutoff due date month following the end of the school year. New Jersey estimates issuing the first issuance of summer P-EBT benefits to these school children in SNAP households approximately 20 days after the requested submission date and approximately 25 days after the requested date for school children in non-SNAP households.

New Jersey proposes to allow the submission of newly eligible child data by the 10th of each month during the covered summer period and estimated issuance according to the above timeframe for each group (e.g. school children in SNAP households and school children in non-SNAP households). This accounts for a second and possibly third issuance for newly eligible school-age children with all P-EBT benefits being issued by September 30, 2023.

d. The state agencies involved in administering this plan are the New Jersey Department of Agriculture (NJDA), New Jersey Department of Education (NJ DOE), and New Jersey Department of Human Services (NJ DHS).

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:

New Jersey proposes to identify school-aged children according to the following process:

By the 10th of the provided cutoff due date month following the end of the school year, SFAs will submit a master list of all school-age children eligible for free- or reduced-price school meals under the NSLP and SBP in the last month of the 2022-2023 school year to the state's P-EBT online submission portal. Eligible school-age children will also include those who attended CEP or Special Provisions 2 or 3 schools in SY 22-23 and those directly certified by application for free or reduced price school meals during SY 22-23. Eligible students must have attended a NSLP-participating school at the end of SY 22-23. SFAs will continue to submit a list to the online portal throughout the summer months for any children determined newly eligible for free- or reduced-price school meals. SFAs may choose to continue to accept and process applications during the summer for households of children who become newly eligible during the covered summer period. However, to ensure that P-EBT benefits are issued by the September 30, 2023 deadline, SFAs will have to set a summer application deadline in order to process applications and submit student data before the online portal submission cutoff date/time to be determined as possibly mid- to late-August 2023. SFAs will clearly publicize to families that summer application date and that applications submitted after their deadline will not be considered for P-EBT benefits. SFAs will use the income eligibility guidelines effective July 1, 2023 for NSLP applications taken after that date. The Department of Human Services' Division of Family Development (DFD) continues to be the issuer of benefits and does not determine eligibility.

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:

New Jersey anticipates the following implementation plan for P-EBT issuance:

Timeline of Events

Day 0/March 2023	Approval of P-EBT plan by FNS
March 2023 and ongoing	Public notice campaign begins
April-May 2023	NJDA/DOE/DHS notify SFAs of Summer 2023 requirements and online submission process
Starting end of school year June 2023	SFAs to submit eligible student data at the end of the school year. DHS works with vendors to begin to process student data.
Beginning July and August 2023	Issuance to SNAP and non-SNAP households begins. SFAs to continue to submit data for students that became eligible during the summer months.

Late August 2023	Online submission portal for SFAs closes
September 30, 2023	All P-EBT benefits must be issued

DHS' EBT processor will issue P-EBT benefits for non-SNAP households on a unique P-EBT card. Existing non-SNAP P-EBT households will receive new P-EBT cards only if they did not receive a P-EBT benefit previously in Summer 2022. It will be noted that these benefits are P-EBT in the issuance file. If a household/client no longer has their SNAP EBT card, they will be directed to request a new EBT card. Replacement cards are handled at the local Board of Social Services (BSS) who also have access to the P-EBT data through the State's internal case management system, ONETrac. Instructions on the P-EBT dedicated webpage direct and link P-EBT participants to their local BSS should they need a replacement card.

New Jersey will continue to use a P-EBT sub-benefit type on the EBT vendor's EPPIC system for P-EBT issuances. P-EBT will be the draw/spend priority. The same expungement rules currently followed for SNAP will be utilized for P-EBT. Undeliverable P-EBT cards will be returned to the EBT processor for logging and destruction. Instructions on the P-EBT dedicated webpage direct and link P-EBT participants to their local BSS should they need a replacement card.

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:

As part of its public information campaign, DHS DFD will employ the use of press releases and social media to inform the general public about the P-EBT program and eligibility requirements. DFD will publicize on its website and public information campaigns that each SFA will have its own deadline for application submission and that applications submitted after the SFA's application deadline will not be considered for P-EBT benefits. In addition, DFD has worked with its contracted Outreach agencies and community advocates to inform groups with potential access problems about the program and messaging language through various means (e.g. social media, website, robo-calls, and text messages).

To meet the customer service need, DFD has implemented a P-EBT dedicated webpage to provide current information and frequently asked questions (FAQs). The website provides general information to the public as well as information directed to P-EBT participants. The P-EBT dedicated webpage advises that benefits are for the intended children (non-transferrable) and that benefits received in error should not be accessed and to report it to the BSS. If P-EBT participants are in need of further support not addressed through the FAQs such as to resolve disputes or issuance errors, they may call the P-EBT hotline or complete an online inquiry form that is transmitted to a dedicated P-EBT email address staffed by DFD. DFD has dedicated staff, including bilingual representatives, who respond to P-EBT inquiries online or through DFD's P-EBT hotline number to provide further assistance. P-EBT participants may also contact their local BSS for assistance with replacement EBT cards.

Upon issuance of the P-EBT card, participants receive a mailer/buck slip that provides information about P-EBT. The mailer explains the following:

- A description of the P-EBT program;
- The purpose of the benefits issued to them;
- How to activate/PIN the card;
- Where the card can be used;

- An explanation of what can be purchased with the benefits; and
- The State's website address for more information.

This information is also available on the P-EBT webpage for access by SNAP participants and reference for non-SNAP participants who may not have received the P-EBT card or lost the mailer/buck slip.

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:

DFD's systematic benefit issuance process involves data matching and duplicate issuance review to ensure eligible children receive the correct amount of P-EBT benefits. DFD's IT team retains master issuance files of children that have received P-EBT benefits with their allotment issuance amounts. All data is cross-checked against previous master issuance files for duplicate issuance. Upon completion of this duplicate issuance process, a summary of the findings is presented to authorized DFD staff for review. Identified duplicates are itemized for DFD review. Upon approval for issuance, the file is then transferred to the EBT vendor for issuance.

The P-EBT webpage provides instructions to P-EBT recipients who believe they may have received benefits in error. DFD logs over-issuances reported by schools, BSSs, and parents. In the event that benefits are issued erroneously, the State agency may take measures to account for the over-issuance such as canceling the P-EBT issuance amount on the SNAP EBT card. In no event shall the household's SNAP benefit be reduced to reclaim P-EBT benefits. DFD will report any over-issuance or improper payment to USDA via the over-issuance spreadsheet provided by USDA and inform USDA of any overpayment using the method designed by USDA before taking any action to recover benefits from households.

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:

Natasha Johnson
Assistant Commissioner

Rose Chamberlain
Director

Date of Request: _____