

**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:** New York

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:

The information included in this plan is only applicable to P-EBT benefits for Children in Child Care.

The date range for New York's plan for Children in Child care is September 1, 2022 through May 11, 2023 (the end of the federal Public Health Emergency). It is estimated that \$72,952,266 will be issued to 290,000 children ages 5 and under who are in receipt of SNAP will be paid under the Children in Child Care plan. New York will issue each eligible child the benefits to which they are entitled for the months September 2022 through May 2023 (May benefits will be pro-rated) in one deposit, as has been done in prior years. The deposits will be spread out by cohort over approximately 4 weeks in July 2023. The payment cohorts are defined by payment method and include children still receiving SNAP, children no longer receiving SNAP with an existing P-EBT card, and children not in receipt of 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).

who need to be issued a P-EBT card. These are broken down further into batches within each cohort (NYC, Rest of State).

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

Standard for P-EBT Eligibility

A child enrolled in a covered child care facility is eligible for P-EBT if:

1. The child is a member of a household that is enrolled in SNAP in the benefit month.
2. The child is enrolled in a covered child care facility. (Note that under the FFCRA, USDA deems all children under the age of 6 to be enrolled in a covered child care facility.)
3. During a public health emergency designation, the child's child care facility is closed or is operating with reduced attendance or hours for at least 5 consecutive days, resulting in the child's inability to attend the facility; or one or more schools in the area of the facility, or in the area of the child's residence, is closed or is operating with reduced attendance or hours.

There are no changes for P-EBT for children in child care from SY 2021-2022. USDA encourages states to refer to their **approved** SY 2021-2022 child care plan to complete this section. Please describe:

- how the state will identify eligible children and confirm their eligibility consistent with the above standard,
- how the state will set benefit levels for children,
- the roles and responsibilities of each state agency or other partners involved in P-EBT and
- any simplifying assumptions the state proposes to use and the justification for using those simplifying assumptions.

If the state will establish a reduction in access to child care using the CACFP data method, we recommend that the state respond to all points as described in their **approved** SY 2021-2022 child care plan, such as:

- The state will confirm that there has been a statewide reduction in access to child care for each of the months of the current school year relative to the same months immediately prior to the pandemic, and will share this data and calculations with USDA before issuing benefits for any months.
- The state will use the sum of CACFP lunch claims for child care centers and family day care homes as reported by the state on the FNS-44². The state will exclude at-risk lunches and adult lunches.
- The state will set an average monthly P-EBT child care benefit using the reduction in aggregate lunch claims over a designated period of time, the average number of school instructional days over the course of the current school year, and the SY 2022-2023 P-EBT benefit per day.
- The designated period over which the state will set the average monthly benefit (e.g., a separate average monthly benefit for the fall semester and the spring semester).
- The state will monitor CACFP lunch claims through the end of the school year (or through the end of the public health emergency, as applicable) and will only issue benefits for months where lunch claims remain below claims for the most recent same month prior to the pandemic.

² The burden associated with state reporting of CACFP meal claims via the FNS-44 form is covered under OMB Control number 0584-0594, *Food Programs Reporting System (FPRS)*, expiration date July 31, 2023.

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:

New

Responsible state agencies

The following agencies are responsible for the development of this plan and will share responsibility for administration of the plan:

New York State's P-EBT Plan for the 2022-23 school year for children in Child Care will rely upon the cooperation of the NYS Offices of Temporary and Disability (OTDA) and Information and Technology Services (OITS) to establish P-EBT eligibility and issue benefits using data provided by the NYS Department of Health (DOH) to determine P-EBT benefit amounts.

- OTDA is responsible for issuing P-EBT benefits, including issuing P-EBT food benefit cards when appropriate, and providing information to eligible households. OTDA also provides customer service for P-EBT with the cooperation of the NYS Office of Children and Family Services (OCFS) Human Services Call Center (HSCC).
- DOH is responsible for collecting and reporting Child and Adult Care Food Program (CACFP) data which will be used to determine the P-EBT benefit amount and ongoing eligibility.

DOH collects and monitors CACFP meal data served in child care settings. Programs have 60 days following the end of each month to submit claims for CACFP meals. New York State proposes using the most recent CACFP lunch meal data available to determine both whether NYS is able to issue P-EBT benefits to children in child care for any month between September 2022 and May 2023 based

on a reduction in the number of meals served compared to the same month in a prior year (i.e. if the 2022 data shows a decrease in the number of meals served compared to the same month in 2019) and also to determine the P-EBT benefit amount for each month. New York commits to updating USDA prior to issuing benefits to establish:

- Whether NYS is eligible to issue P-EBT to children in child care based on whether the most current CACFP data available shows a reduction in the number of meals served in child care settings compared to 2019; and,
- The children in child care P-EBT benefit amount based on the most recently available data.

Currently, CACFP data available for the 2022-23 plan year is available for September 2022 through December 2022. For the benefit amount, New York proposes to use the percentage reduction of CACFP lunch data comparing September 2019 through December 2019 to those same months in 2022, January 2020 and February 2020 to those same months in 2023 and March 2019 to March 2023. Based on the data currently available, the average reduction for those months is approximately 20.1%.

Additionally, NYS assumes an 18-day monthly attendance for children in child care based on the 180-day school year calendar divided by 10 months. Therefore, NYS will multiply the monthly percentage reduction in claims, by 18 days, by the daily \$8.18 benefit to get the monthly benefit for children in child care. Because the federal Public Health Emergency ends May 11, 2023, NYS will use 9 days of attendance for the May 2023 benefit amount calculation.

As another simplifying assumption, NYS proposes that for each month that CACFP data shows an overall reduction in the number of meals served in child care settings, all children in NYS under 6 years of age as of September 1, 2022, and in a household receiving SNAP benefits at any time during the plan period September 1, 2022 through May 11, 2023, will be eligible for the P-EBT benefit for children in child care for those months in which they received SNAP benefits. The New York State Office of Temporary and Disability Assistance (OTDA), as the SNAP State agency and the host agency of the Welfare Management System (WMS), New York State's eligibility and benefit issuance system of record, will identify eligible children and the months for which each eligible child received SNAP benefits. As noted above, children in child care will only receive P-EBT benefits for the months from September 2022 through May 2023 that they were in receipt of SNAP benefits and will not receive a P-EBT benefit for any month for which they did not receive a SNAP benefit.

New York proposes that all of New York State be considered an area for purposes of determining that one or more child care facilities have closed or operated with reduced attendance or hours each month in order to determine P-EBT eligibility using those criteria.

Finally, NYS proposes reliance on the most recent CACFP data available to set an average monthly P-EBT benefit for children in child care. The data currently available shows a reduction of approximately 20.1% in the number of lunches served compared to pre-pandemic numbers in the same month. If, at the time that New York is ready to begin issuing benefits to eligible children in child care, more updated CACFP data is available, New York will recalculate the CACFP percentage reduction and share with USDA before proceeding in order to compare calculations and avoid an issuance error.

Identifying SNAP Enrolled Children

- New York will identify children who began school year 2022-2023 under the age of 6 and were part of a household that receives SNAP, including children who apply for SNAP from 5/1/23-5/11/23 who are determined eligible.
- Consistent with P-EBT's authorizing statute, all children under the age of 6 are deemed enrolled in a covered childcare facility.
- The state will make the reasonable simplifying assumption that children who began receiving benefits as a 5-year-old earlier in school year 2022-2023 remain enrolled in a covered child care facility through the end of the school year as long as the household continues to receive SNAP. *[See P-EBT Q&A #28 for additional detail.]*
- New York understands that a child's eligibility for P-EBT child care benefits ends when a child's SNAP enrollment ends.

Establishing a Reduction in Access to Child Care Using the CACFP Data Method

- CACFP lunch claims 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.
 - For purposes of this plan, New York 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-44. The state will exclude at-risk lunches and adult lunches.
- New York will monitor CACFP lunch claims through the end of the school year and will only issue benefits for months where lunch claims (to the extent that preliminary data are available) remain below claims for the most recent same month prior to the pandemic.

Setting Benefit Levels Using the CACFP Data Method

- New York will set an average monthly P-EBT child care benefit for the 2022-23 school year. The averages are calculated using **the following three factors**:
 1. The reduction in aggregate lunch claims for the 2022-23 school year beginning September 2022 relative to the same months from 2019 and 2020. Based on New York's anticipated distribution of P-EBT child care benefits in July 2023, the state will use CACFP claims data for the months of September 2022 through December 2022 or the most recent month of complete CACFP data.
 2. The average number of school instructional days over the course of the current school year. This is equal to the number of instructional days in the year divided by the number of school months: $180 \div 10 \text{ months} = 18 \text{ days per month}$ for September 2022 through April 2023. Additionally, NYS is calculating the May 2023 P-EBT benefit using 9 instructional days.

3. The school year 2022-2023 P-EBT benefit per day of \$8.18.

Table 1: Reduction in CACFP lunch claims

CACFP lunch claims pre-pandemic months		CACFP lunch claims current school year months		Percent Change, SY 22-23: To be applied to daily rate and number of school instructional days per month.
September 2019	2,381,973	September 2022	1,888,747	
October 2019	2,722,060	October 2022	1,981,027	
November 2019	2,360,258	November 2022	1,988,735	
December 2019	2,296,962	December 2022	1,938,213	
January 2020	2,664,820	January 2023	TBD	
February 2020	2,410,297	February 2023	TBD	
March 2019	2,747,338	March 2023	TBD	
April 2019	2,794,287	April 2023	TBD	
Total	9,761,253	Total	7,796,722	-20.1%*

*This number is tentative and subject to change prior to benefit issuance.

Note:

CACFP Lunch Claims: Free, reduced price, and paid lunches for CACFP child care centers (excluding at-risk lunches) and family day care homes. The figures above are total lunches reported to USDA on FNS-44, Part E, column D, *minus columns A2 and C*, for lines 33, 36, and 39.

Before calculating its monthly fall P-EBT benefit, New York commits to sharing its data and calculations with USDA. The state will also confirm that CACFP claims for all available months remain below CACFP claims for the same months immediately prior to the pandemic before issuing benefits for any of those months.

5. Benefit Levels

<p><i>Standard for Benefit Levels</i></p> <ol style="list-style-type: none"> The full daily benefit level for each eligible child is equal to the free reimbursement for a breakfast, a lunch, and a snack for school year 2022-2023. The benefit is multiplied by the number of days that the eligible child’s status makes them eligible for P-EBT benefits.

SY 2022-2023 July 1, 2022 - June 30, 2023	Free Reimbursements USDA School Meal Programs			
	Lunch	Breakfast	Snack	Daily Total
Contiguous U.S.	\$4.43	\$2.67	\$1.08	\$8.18
Alaska	6.87	4.21	1.75	12.83
Hawaii, Guam, Virgin Islands, Puerto Rico	5.10	3.09	1.26	9.45

Notes:

1. Lunch rates include the 8 cent performance-based reimbursement and the extra 2 cents per meal received by school food authorities in which 60 percent or more of the lunches served during the second preceding school year were served free or at a reduced price.
2. Breakfast rates are those received by "severe need" schools.
3. Snack rates are those for afterschool snacks served in afterschool care programs
4. The figures include the temporary additional funding for school lunch and school breakfast authorized under Section 2 of the Keep Kids Fed Act of 2022.

Source: <https://www.federalregister.gov/documents/2022/07/26/2022-15892/national-school-lunch-special-milk-and-school-breakfast-programs-national-average-paymentsmaximum>

- Describe the benefit levels proposed, including how days of eligibility will be determined. What simplifying assumptions does the state propose? Why must the state make those simplifying assumptions? Please address both of these questions in detail.

Response: [please use as much space as needed]

Average monthly P-EBT child care benefits:

Child Care Calculation	Percent Change in CACFP Lunch Claims	Average # of instructional days per month	Daily Benefit Amount	Average Monthly Benefit
2022-23 SY (Sep 2022-April 2023)	-20.1%*	18	\$8.18	\$29.00*
May 2023	-20.1%*	9	8.18	\$14.00*

*This number is tentative and subject to change prior to benefit issuance. New York issues benefits in whole dollars.

Notes:

1. **Percent Change in CACFP Lunch Claims:** These are the figures in the lower right-hand corners of Tables 1 and 2.
2. **Average Number of Virtual Days per Month:** This is the number of school instructional days in the state's school year divided by the number of benefit months in the state's P-EBT plan. Typically, this is 180 instructional days ÷ 10 benefit months (September through June or August through May).
3. **Average Monthly Benefit:** This is the outcome of multiplying the figures in the three preceding columns.

6. Implementation Timeline, EBT Processing, and Benefit Issuance

Please provide an implementation timeline for SY 2022-2023 with estimated dates for major milestones in your plan.

- States should develop their timeline cooperatively, including input from its EBT processor and all state agencies involved in implementing P-EBT. Instead of using specific dates, describe important milestones and realistic durations between them. USDA suggests that states build their timelines from the date USDA approves the state's plan (Day #0).
- 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.

Response:

As described above, New York State plans to issue benefits to children in child care over a period of 4 weeks beginning in July 2023. P-EBT benefits will be issued to eligible Children in Child Care retroactively for every month of the 2022-2023 school year from September 2022 through May 2023 (May benefit will be prorated) in one deposit (with discrete monthly payments). New York State expects that payment files will not exceed the volume of P-EBT benefits issued to Children in Child Care for the 2020-21 and 2021-22 school years because the monthly benefit will be less for 2022-23 than it was in prior school years. Additionally, because New York's processing is broken into payment cohorts, it is by its nature staggered. New York will continue to monitor weekly payment files and adjust the volume as necessary and will maintain open communication with the retailer community so as to mitigate any negative impacts on local stock. New York State will also provide FNS with any changes to the final approved issuance schedule as they occur. Eligible children living in SNAP recipient households will be the first to receive benefits.

New York State will not issue the cards on a unique P-EBT card design. The design will be the same as New York State's Common Benefit Identification Card (CBIC). As we did during prior school years, all P-EBT-specific cards will have a Client Identification Number beginning with the letter 'I'. The Client Identification Number is a unique identifier assigned to each cardholder. It is an eight-character alpha-numeric in the format of AB12345C. P-EBT cards also will have the same date of birth, 01/01/1900, for every cardholder. As was done previously, P-EBT specific cards will not be sent to SNAP households. P-EBT benefits for SNAP households will be deposited in the household's SNAP EBT account.

Please also address each of the following:

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 SY 2020-21. This will greatly facilitate the States' ability to report and USDA to maintain

accountability for P-EBT.

As with the previous phases of P-EBT, all P-EBT benefits will be delivered on discrete payment files with unique benefit numbers for easy identification and auditing. We encountered absolutely no reporting or tracking issues during the previous phases of P-EBT, and we do not expect any during the SY 2022-23 phase.

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.

As with the previous phases of P-EBT, for households who also get SNAP benefits or, should the need arise, D-SNAP benefits, the draw priority will be first in first out. We will not be adjusting that 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.

The State will follow the same account-level inactivity expungement rules that it 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?

New York State did not have a large percentage of P-EBT cards returned to our processor during previous phases of P-EBT. We will employ the same address validation processes that we employed during prior phases, enhanced by all the updated address data that we have collected over time. Our card issuer will continue to receive and destroy returned cards and provide a file of which cards have been returned. We will use this file to flag children in the P-EBT database for whom we have incorrect addresses. Should a parent or guardian contact our P-EBT helpline or mailbox, the agent handling the contact will know of the incorrect address and will know to collect the correct address to which a replacement card can be sent.

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?**

New York State will not be issuing new P-EBT cards to existing P-EBT households, except for those whose cards were returned and never successfully delivered during the prior phases of P-EBT. For existing household requesting replacement cards our P-EBT helpline Integrated Voice Response (IVR) system will have special prompts to direct clients how to request replacement cards.

7. Customer Service

Recommended Standard for Household Support

USDA strongly encourages states to develop a customer service plan that anticipates common questions from households of children that are eligible and potentially eligible to participate in P-EBT, and that ensures that all who are eligible are able to receive and use their P-EBT benefits.

1. USDA strongly encourages states to provide a means to resolve disputes and answer questions from actual or potential P-EBT households.
2. USDA strongly encourages states to provide relevant program information to actual and potential P-EBT households.

To

complete Section 8, we encourage states to use language from their approved plan from SY 2021-2022 with all necessary updates. -

- How will the state resolve disputes or issuance errors (incorrect benefit amount, denied benefits, etc.)? Based on the large number of such inquiries received by USDA, the states, and EBT processors, USDA suggests a phone number (hotline) staffed by personnel empowered to research and address such cases.

Response:

As during previous phases of P-EBT, New York State will have a dedicated P-EBT helpline to field inquiries, assist P-EBT customers with card PIN-ing issues, card replacement requests, etc for P-EBT recipients. Agents will not be able to resolve eligibility and benefit amount issues for children that are not supported by the data provided by New York's Welfare Management System (WMS) which houses the SNAP benefit history for children eligible for the Children in Child Care benefit. Help line call center agents will send the OTDA P-EBT Unit referrals for families with questions regarding their child's Children in Child Care benefit amount. P-EBT Unit staff will review the referrals and resolve any issues with the child's case (if applicable) and will follow up and contact the family. New York State will also continue to make the current P-EBT Information Form which feeds the dedicated P-EBT mailbox available for general questions and specific inquiries. P-EBT staff will handle inquiries from families received through the P-EBT Information Request Form in the same manner and all inquiries and case information will be recorded and maintained in the P-EBT database.

- 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.

New York plans to send text messages to the all phone numbers in WMS, for all households informing them their child's P-EBT benefits are available. New York will deposit Children in Child Care benefits into the SNAP account for children receiving SNAP when the benefits are issued. Based in redemption

data of this cohort from prior years, there doesn't appear to be any issues for these families accessing P-EBT benefits. Benefits for children not receiving SNAP, but who have with an existing P-EBT card, will be made accessible using that card. Children not receiving SNAP who have not been issued a P-EBT card for prior issuances will be mailed a P-EBT card. If any P-EBT cards are returned as undeliverable, New York will make best efforts to locate current addresses for children experiencing homeless and for children in foster care, including working closely with local departments of social services staff and foster parents to local children in foster care and deliver benefit cards.

We do not need the SSN of either the parent/guardian or of the child to whom the P-EBT card is issued for the household to be able to PIN the card. For card PIN-ning purposes, we used the mm/dd of the child's date of birth in lieu of the last four-digits of the SSN.

As with the first and second phases of P-EBT, our P-EBT helpline will assist customers in languages other than English either by routing the client to an agent who speaks the customer's native language or by engaging a Language Line translator. P-EBT instructional and informational videos are available in English and Spanish, and all printed materials are posted to our agency website and are available in multiple languages by using the translation function available at the bottom of every webpage.

- 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).

As with the first and second phases of P-EBT, the State will post information to the OTDA website, and use social media and community partners to provide general information about P-EBT.

- 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.

New York State includes information on the P-EBT webpage FAQs explaining that the United States Department of Agriculture (USDA) has advised that P-EBT food benefits are not transferable and cannot be donated. The P-EBT food benefits are intended for you to use to buy food for you and your child[ren]. USDA advises that if you and your family have received a P-EBT 2020 food benefit card and do not want to use the benefits to buy food, you should dispose of the card by cutting through the magnetic stripe on the card or shredding the card and discarding it in a secure manner

- Describe the information you will provide *directly* to P-EBT participants (this is different than the information you provide to the general public), and how you will provide that information. For example:
 - What will you provide to explain the purpose of P-EBT and how to use the benefit? Based on the large number and wide variety of public inquiries that USDA, states, and EBT processor call centers received regarding P-EBT in over the past year, USDA recommends it include:
 - A description of P-EBT
 - Instructions for PINing a P-EBT card
 - Explanation of where benefits can be used

- Explanation of how benefits can and cannot be used (i.e., eligible foods and non-eligible items)
- Explanation of violations and penalties, such as trafficking
- An indication that benefits are non-transferable
- Instructions for destroying the card, if they want to decline benefits
- Information regarding a hotline, helpdesk, or website/portal that participants can reach out to, if they have questions, need assistance (setting up a PIN, for example)
- How will you provide P-EBT information to non-SNAP households? How will you provide P-EBT information to SNAP households?
 - Will you provide information via mailers? Will the mailer(s) be a flyer/brochure, buck slip, letter, or some other alternative? USDA recommends flyers/brochures, because these can be used more flexibly than buck slips.
 - Will you provide information via e-mail, text messages, social media, website, robo-call, and/or other electronic means?

Response: [please use as much space as needed]

For P-EBT participants who also are SNAP recipients, as with the first and second phases of P-EBT, we will be using public noticing, social media, community partners, auto-dialer campaigns and text messages to inform them of the availability of the P-EBT benefits.

For P-EBT participants who are not SNAP recipients or P-EBT cardholders, a P-EBT cardholder will be sent to the household with information about P-EBT and card PIN-ning instructions. These households, and households of children with existing P-EBT cards who will receive benefits accessible using their existing card, will also receive auto-dialer messages and be sent text messages informing them of the availability of P-EBT benefits.

During the prior phases of P-EBT, the state used text messaging successfully to contact recipients whose benefits were deposited or who had failed to redeem benefits, to make sure that they were aware of the benefits and to provide them with a link to information, including videos, to help them PIN their P-EBT cards and request new cards, if needed. New York will continue its efforts to connect P-EBT recipients to the resource materials on the P-EBT webpage.

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:

As was done for the issuance of P-EBT benefits for prior years, New York State again will be leveraging the data about children known to our systems, either because of current receipt of SNAP, Public Assistance or Medicaid, or because of receipt of P-EBT benefits for the 2019-20, 2020-21, or 2021-22 school years, to minimize the occurrence of duplicate payments. As we did for the previous school years, where duplicate or improper payments occur, if discovered, OTDA has a process for recovering the unredeemed portion of any such benefits issued. New P-EBT-only accounts will be established only for newly-eligible children who are not currently receiving SNAP or Public Assistance or who do not have an existing P-EBT card. For the Children in Child Care benefit, SNAP benefit history will be confirmed using each child's unique Client Identification Number (CIN) and other demographic information to query WMS SNAP historical data.

Additionally, to reduce the likelihood of overpayment, the State plans on only issuing benefits retroactively and expects to be able to access complete SNAP benefit history. New York State will notify USDA when it discovers an overpayment and will not take any action to recover benefits from any household before discussing the overpayment with USDA. New York commits to providing USDA a summary of the error, the number of children affected, and the total amount of the over-issuance and will report this information via the FNS Over-issuance spreadsheet

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.”

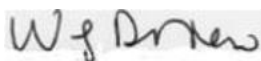
13. Civil Rights Statement

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:



Director of Food and Nutrition Programs

Signature
Print Name and Title

Wendy DeMarco, Director of Food and Nutrition Programs

Signature
Print Name and Title

Date of Request: 4/24/23