



Food and Nutrition
Service

1320 Braddock Place
Alexandria, VA
22314

July 15, 2022

**SUBJECT: Pandemic Electronic Benefits Transfer Program (P-EBT)
Approval of North Dakota's Plan for Summer 2022**

**TO: Cheryl Kennedy
Regional Administrator
Mountain Plains Regional Office**

The Families First Coronavirus Response Act (P.L. 116-127; the Act), as amended, authorized a temporary assistance program for households with children without access to meals in school and to certain SNAP-enrolled children in child care during the public health emergency originally declared in January 2020. The March 11, 2021 American Rescue Plan Act (the ARP, P.L. 117-2) extends P-EBT through the end of the public health emergency, a period that includes the summer of 2022.

Pursuant to the authority granted under Section 1101 of the Act, FNS approves North Dakota's enclosed plan to issue P-EBT benefits to children in schools and child care for the 2022 covered summer period.

Summary of State's Plan

The North Dakota Department of Human Services and the North Dakota Department of Public Instruction will issue P-EBT benefits through the State's Supplemental Nutrition Assistance Program (SNAP) EBT card system to households with eligible children. In general, school children are eligible for benefits if they would have received free or reduced price meals at their schools through the National School Lunch Program (NSLP) if not for the closure or reduced attendance or hours of their schools. Children in child care are eligible if they are enrolled in SNAP and their child care facility is closed or operating with reduced attendance or hours, or if they live in the area of a school that is closed or operating with reduced attendance or hours. The ARP deems all schools closed for the 2022 P-EBT covered summer period.

Children in Schools

The State and its school districts will identify the children who were eligible to receive free or reduced price NSLP meals as of the end of school year 2021-2022. The State will offer households who become income-eligible for free or reduced price meals the ability to establish their eligibility during the 2022 covered summer period. In addition, the State and its school districts will identify eligible children through direct certification during the same period.

In addition, North Dakota will:

- issue the U.S. standard benefit of \$391 to all eligible children,
- set an application submission deadline of August 19 for households of children who become newly eligible during the covered summer period:

- North Dakota SFAs will use their standard NSLP applications for summer P-EBT benefits,
- school districts will process these applications on receipt or immediately after the end of the covered summer period,
- tentatively issue the full \$391 benefit in one of three issuances depending on when children are determined eligible for free or reduced price school meals:
 - July 20, for children who are determined eligible in time for this issuance,
 - August 24, for children determined eligible after the first issuance, and
 - October 5, for children determined eligible after the second issuance.

Children in Child Care

The State will, at a minimum, identify all children under age 6 who are enrolled in SNAP during the covered summer period and prior to the end of the federal COVID-19 public health emergency (PHE), if applicable. The State will ensure that children who receive a benefit through P-EBT's child care component do not also receive a benefit through P-EBT's school component for the covered summer period. Finally, the State will await confirmation from USDA that the PHE will extend through the end of the covered summer period before issuing the full summer benefit to children in child care.

In addition, North Dakota will:

- issue the U.S. standard benefit of \$391 to all eligible children:
- issue P-EBT benefits for the full covered summer period to children whose SNAP enrollment begins or ends during that period,
- issue P-EBT summer benefits to children who were under age 6 and not enrolled in school at the start of school year 2021-2022, but who reached their 6th birthday prior to the end of the school year and remain enrolled in SNAP during the summer,
- tentatively issue a single benefit for the entire summer period on July 20, or two days after plan approval.

Finally, the State will identify risks for improper payments and ensure a high level of integrity.

Estimated Caseload and Value of P-EBT Benefits

North Dakota estimates that it will issue \$15.8 million to approximately 40,500 school children during the 2022 covered summer period. North Dakota estimates that it will issue \$4.5 million to approximately 11,500 SNAP-enrolled children in child care assuming the PHE continues through the end of the summer.

Release of Information

Pursuant to Section 1101(e) of the Act, the Secretary hereby authorizes the release of the information necessary to carry out P-EBT in North Dakota. Section 1101(e) of the

Act states, “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.”

Plan Timetable and Revisions

North Dakota will distribute benefits to households consistent with the timeframes identified in the State plan. Should the State encounter challenges or delays that significantly impair its ability to implement the approved P-EBT plan or require substantive changes, the State must notify the FNS Regional Office as soon as possible. The FNS Regional Office will work with the State to identify reasonable solutions and review revised plans for approval or further revision.

Civil Rights

North Dakota will continue to comply with civil rights requirements, to include providing equal access to individuals with disabilities and individuals who are limited English proficient.

Administrative Funds

The North Dakota Department of Human Services will participate in a P-EBT Administrative Budget Planning process using the FNS-366(a) Program and Budget Summary. When the FNS-366(a) is finalized, that will determine the State’s Administrative Grant level. However, the FNS-366(a), Program and Budget Summary, may be updated and revised as the State’s operational plan evolves.

Reporting

The North Dakota Department of Human Services will complete the FNS-292B, the FNS-46, the FNS-388, and the FNS-778 reports in accordance with existing requirements.

FNS appreciates North Dakota’s commitment to meet the nutritional needs of children during a challenging time. If you have questions, please contact the FNS Mountain Plains Regional Office.

Sincerely,

Cindy Long
Administrator