

**State Plan for Pandemic EBT
Children in School/Childcare 2021-2022**

Issuing Agency/Office:	FNS / Child Nutrition Programs, Supplemental Nutrition Assistance Program
Title of Document:	State Plan for Pandemic EBT: Children in School/Childcare 2021-2022
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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 childcare during school year (SY) 2021-2022. (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:

<https://www.fns.usda.gov/snap/state-guidance-coronavirus-pandemic-ebt-pebt>

The P-EBT Assistance for Children in Schools and Child Care is covered under OMB Control # 0584-0660, Pandemic EBT (Schools) which expires on August 31, 2021. The collection covers the burden associated with States submitting school year plans and the submission of the FNS-366a and SF-425 reporting forms. FNS has submitted a renewal request for OMB # 0584-0660, Pandemic EBT (Schools) which accounts for the information collection burden associated with the increased complexity of determining benefit levels under the Schools portion of P-EBT, administrative cost grants, and submitting plans for the Child Care and Summer portions of P-EBT which are not currently approved under OMB #0584-0660

State Plan for Pandemic EBT
Children in School and Child Care, 2021-2022

1. State Maine:

- 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 **8/1/2021 – 6/15/2022**
 - for children in childcare **8/15/2021 – 6/15/2022**
- b. Estimated monthly and total *amount* of P-EBT benefits the State will issue within this plan/amendment's date range. **\$10,216,587**
 - Estimated amount issued to school children in SNAP households. **\$2,349,816**
 - Estimated amount issued to school children in non-SNAP households **\$2,211,792**
 - Estimated amount issued to non-school children in childcare **\$6,514,752**
- c. Estimated total *number* of children to which the State will issue P-EBT benefits.
 - Estimated number of school children in SNAP households **33,096**
 - Estimated number of school children in non-SNAP households **31,152**
 - Estimated number of non-school children in childcare **19,200**
- d. Tentative P-EBT issuance schedule (the dates on which you will issue P-EBT benefits).
 - School children in SNAP households **see section 7**
 - School children in non-SNAP households **see section 7**
 - Children in childcare **see section 7**

Response:

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 2021 through June 2022, for example).

P-EBT for School Children (see Q&As #6-24)

A. Eligible Children

Standard for P-EBT Eligibility

A child is eligible for P-EBT benefits if two conditions are met:

1. The child would be eligible for free or reduced-price meals if the National School Lunch Program and School Breakfast Program were operating normally. This includes children who are:
 - a. directly certified or determined “other source categorically eligible” for SY 2021-2022, *or*
 - b. certified through submission of a household application processed by the child’s school district for SY 2021-2022, *or*
 - c. enrolled in a Community Eligibility Provision school or a school operating under Provisions 2 or 3, *or*
 - d. on the school’s most current prior year list of directly certified children, children determined other source categorically eligible, or children certified by application *and* the school district has not made a new school meal eligibility determination for the child in SY 2021-2022.
2. The child does not receive free or reduced-price meals at the school because the school is closed or has been operating with reduced attendance or hours for at least 5 consecutive days in the current school year. Once the minimum 5 consecutive day threshold is met, children are eligible to receive P-EBT benefits for closures or reductions in hours due to COVID-19.

- Describe how the State will identify eligible school children for P-EBT. Also describe what measures the State will take to prevent the issuance of benefits to school year 2020-2021 graduates and other non-students. *(Please review P-EBT Q&As #16-19 on P-EBT eligible and P-EBT ineligible virtual learning models.)* **The Maine Department of Education (MDOE) will provide the Office for Family Independence (OFI) with every student’s specific daily learning model and absence status that is eligible for Free and Reduced Lunch (FaRL) and would have received a meal at school if not learning remotely. OFI will identify students that have excused absences for five consecutive days or more and issue the appropriate P-EBT benefit. Any school collecting whether absences are specifically COVID-19 related will report it to the DOE even if not all schools are collecting that data point. The MDOE will not include graduates or other non-students on the Excel spreadsheets provided. The MDOE will also provide OFI a list of all students eligible for FaRL. This will be used for the reconciliation process. Maine will use FaRL applications from July 1, 2021, through June 30, 2022. Eligibility will be provided retroactively to the beginning of the school year for applications during the school.**
- How will the State determine and/or confirm each child’s eligibility for free or reduced-price meals²? **Eligibility data will be provided to OFI by the MDOE.** Please describe separately for SNAP-recipient and non-SNAP-recipient children, children in public and non-public schools, new students (such as kindergarteners and transfer students), and children who become eligible during the school year. **All student eligibility information will be provided to OFI from the MDOE in the same manner as described above.**

² The burden associated with National School Lunch Program applications is covered under OMB Control # 0584- 0026, 7 CFR Part 245 - Determining Eligibility for Free & Reduced Price Meals and Free Milk in Schools, expiration date 7/31/23.

- How will the State confirm each child's lack of access to meals at school? Please describe separately for children in public and non-public schools. **The MDOE will provide OFI with every student's specific daily learning model and absence status that is eligible for FaRL and would have received a meal at school if not learning remotely. Data from each FaRL participating school will be provided to the MDOE in the same manner.**
- Describe the process that the State will use to update and re-establish each child's in-person and virtual schedules. How frequently will that information be updated? (Note that this information must be updated no less frequently than every other month.) **The MDOE will send the daily learning model of every eligible student to OFI for P-EBT issuance. OFI will not issue P-EBT benefits prospectively.**
- Describe the roles and responsibilities of each State agency or other partners involved in P-EBT (e.g., which agency is responsible for confirming eligibility). **Schools and the MDOE will determine eligibility based on eligibility for FaRL and each student's daily learning model. OFI will issue P-EBT benefits.**
- Describe any simplifying assumptions the State proposes to use and the justification for using those simplifying assumptions. **Please address both in detail.** In addition, please describe any proposed measures that the State will take to address program integrity when using the proposed simplifying assumptions. **There was no remote learning at traditional FaRL participating schools prior to CoViD-19 so it is a safe simplifying assumption that remote learning absences are at the very least indirectly related to CoViD-19. We will also assume that excused absences of 5 consecutive days or more are CoViD-19 related, based on the Maine Center for Disease Control (CDC) minimum isolation and quarantine recommendations. Maine and FNS agreed we cannot be 100% sure these blocks of absences are CoViD-19 related, but it is a reasonable assumption that maintains program integrity. Parents of students with less than 5 consecutive excused absences that were not marked as remote learning will have the opportunity to receive P-EBT through the reconciliation process. This is necessary because not all excused absences will be marked as remote learning. This will provide P-EBT benefits to more eligible children while reducing administrative burden for both OFI and parents. OFI will verify that students were eligible for FaRL and the absence status the school reported for the child and resolve any discrepancies when processing reconciliation applications. The applications will indicate to the parent or guardian that the absences must be COVID-19 related for eligibility for P-EBT. Maine is able to ensure that children do not receive a duplicate benefit if they both receive FaRL and are under the age of 6 and receiving SNAP. The deduplicating is based on child specific data so if more than one person applied for a child, we will only issuance one benefit per issuance.**

Response: [please use as much space as needed]

B. School Status

Standard for P-EBT Eligible School Status

Children are eligible for P-EBT benefits if they are eligible for free or reduced price meals, but are unable to receive those meals at school due to the operating status of their schools as outlined below:

1. The school is closed (including any delayed start or early closure to the school year), or the school is operating with reduced attendance or hours.
2. School closures do not include weekends, or days when the school is closed due to a holiday or regularly scheduled break (Thanksgiving, New Year's Day, Spring Break, etc.).
3. The period of closure or reduced attendance or hours must meet the current school year minimum 5 consecutive day threshold before any child is eligible for P-EBT benefits. Once the minimum 5 consecutive day threshold is met, children are eligible to receive P-EBT benefits for closures or reductions in hours and/or attendance due to COVID-19.

Describe how the State will identify, confirm and monitor the status of individual. **MDOE will be collecting data on student attendance by day including learning modality. Since the modality will be collected, MDOE and OFI will be able to determine if a school has had at least one student learning remotely for 5 days or more by reviewing the data. Per FNS guidance, one student learning remotely for five consecutive days meets the minimum requirement for a school to be operating at reduced attendance.**

- Also describe how the State will identify the period of duration of the closure, reduced hours, or reduced attendance of the State's schools. **MDOE will be collecting data on student attendance by day, including learning modality, so MDOE will identify when students are learning remotely.**

How will the State confirm that the child's school has been closed or is operating with reduced attendance or hours for a minimum of 5 consecutive days? **MDOE will be collecting data on student attendance by day, including learning modality, so MDOE will identify when students are learning remotely. Per FNS guidance, one student learning remotely for five consecutive days meets the minimum requirement for a school to be operating at reduced attendance.**

- Describe how this information will be obtained and how often the State will collect updated information from schools. (Note that this information must be updated no less frequently than every other month.) **The MDOE will provide OFI with the exact daily learning model and attendance of each student. This data will be updated each month. The first set of data is expected to be received by OFI in April 2022.**
- Describe the State's plan for monitoring changes in eligible school status between the State's bi-monthly (or more frequent) collection of updated school data. Describe how the State will use this updated school information to revise issuance amounts. **N/A: OFI will not issue benefits prospectively.**
- Describe any simplifying assumptions the State proposes to use and the justification for using those simplifying assumptions. Please address both in detail. In addition, please describe any proposed measures that ensure program integrity when using the proposed simplifying assumptions. **N/A**
- Please review P-EBT Q&As #16-19 on P-EBT eligible and P-EBT ineligible virtual learning models. **Reviewed and acknowledged.**

Response: [please use as much space as needed]

4. P-EBT for Children in Child Care (see Q&As #25-33)

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.

Describe how the State will identify eligible children and confirm their eligibility consistent with the above standard.

- How will the State determine and confirm the child's receipt of SNAP benefits in accordance with relevant SNAP privacy requirements? **Maine's Office for Family Independence (OFI) within the Department of Health and Human Services is solely responsible for the development and administration of this plan. OFI is, also, the SNAP issuing agency so no data need be shared.**
- 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 #29) **OFI will issue to individuals who have verified Maine residency per SNAP guidelines. Benefits will be issued based on state-wide Child and Adult Care Food Program (CACFP) data. Therefore, all recipients will be verified to be in an area in which childcare facilities are operating with reduced attendance or hours.**
- 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 that child's eligibility? Specifically, how will the State determine that:
 - the child's childcare facility is closed or is operating with reduced attendance or hours, or
 - the child's childcare facility is in the area of one or more schools that are closed or operating with reduced attendance or hours?

OFI will issue to individuals who have verified Maine residency per SNAP guidelines. Benefits will be issued based on state-wide CACFP data. Therefore, all recipients will be verified to be in an area in which childcare facilities are operating with reduced attendance or hours.

- Are there any State or local public health ordinances that limit the capacity of childcare 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? **No.**
- 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 childcare 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.) **OFI will apply four tests to establish eligibility for each month in question. To be considered eligible for Child Care P-EBT, the individual must**

pass all four tests.

- 1) **Does the individual have a date of birth on or after September 2, 2015 (was under age 6 at the start of the school year)? The answer must be “yes.”**
 - 2) **Was the child receiving SNAP for at least one day for the month in question? The answer must be “yes.”**
 - 3) **Did the child receive School Age P-EBT for any month in the 2021-2022 school year? The answer must be “no.”**
 - 4) **Was there a statewide reduction of CACFP lunch claims (confirming a reduction in access to childcare) for the month in question? The answer must be “yes.”**
- Describe how the State will set benefit levels for children once they have been determined eligible for some level of benefit? (See Q&A #29.) **OFI will set an average monthly P-EBT childcare benefit for each month of the 2021-2022 school year. The averages are calculated using the following factors:**
 - 1) **The reduction in aggregate lunch claims each month relative to the same month from the fall of 2019. See Table 1.**
 - 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 and adjusted for partial months: $175 \text{ instructional days} \div 10 \text{ months} = 17.5 \text{ days per month}$. Since most Maine schools start after August 15 and conclude the school year before June 15, eligible children will receive $\frac{1}{2}$ the otherwise calculated benefit for those months.**
 - 3) **The school year 2021-2022 P-EBT benefit per day of \$7.10**
 - Describe the roles and responsibilities of each State agency or other partners involved in P-EBT (e.g., which agency is responsible for confirming eligibility). **Maine’s Department of Education will provide a list of students eligible for School Age P-EBT and the figures for the current and pre-pandemic CACFP lunch claims. OFI assumes all other roles and responsibilities associated with P-EBT.**
 - What simplifying assumptions does the State propose? Why must the State make those simplifying assumptions? Please address both of these questions in detail.
 - 1) **OFI assumes any child <6 on September 1, 2021, is enrolled in childcare and not school for the entirety of the school year unless they are determined eligible for School Age P-EBT. Consistent with P-EBT’s authorizing statute, all children under the age of 6 are deemed enrolled in a covered childcare facility. There is no clearinghouse of childcare enrollment information.**
 - 2) **OFI assumes any child enrolled in childcare has seen a reduction in the availability of lunches consistent with the reduction in aggregate lunch claims for the month. Data for specific children or even specific centers is simply not available.**

Response:

5. Benefit Levels

Standard for Benefit Levels

1. The full daily benefit level for each eligible child is equal to the free reimbursement for a breakfast, a lunch, and a snack for school year 2021-2022. The benefit is multiplied by the number of days that the eligible child's status makes them eligible for P-EBT benefits.

SY 2021-2022 July 1, 2021 - June 30, 2022	Free Reimbursements USDA School Meal Programs			
	Lunch	Breakfast	Snack	Daily Total
Contiguous U.S.	\$3.75	\$2.35	\$1.00	\$7.10
Alaska	6.03	3.78	1.63	11.44
Hawaii, Guam, Virgin Islands, Puerto Rico	4.37	2.74	1.17	8.28

Notes:

1. Lunch rates include the 7-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 Source: <https://www.govinfo.gov/content/pkg/FR-2021-07-16/pdf/2021-15107.pdf>
- 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. **OFI will use individual student learning model and attendance status to provide benefits to students. Students will receive \$7.10 per day for every day that they are learning remotely, were absent related to CoViD-19 or had excused absences for 5 or more consecutive days. Maine is not using a tiered approach to benefit amounts. All simplified assumptions were described in section 4.**

For Children under 6, OFI will be setting benefit levels using the CACFP data method. The state will set an average monthly P-EBT childcare benefit for each month of the 2021-2022 school year. The averages are calculated using the following factors:

- 1) **The reduction in aggregate lunch claims each month relative to the same months from the fall of 2019. See Table 1.**
- 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 and adjusted for partial months: 175 instructional days ÷ 10 months = 17.5 days per month. Since most Maine schools start after August 15 and conclude the school year before June 15, eligible children will receive ½ the otherwise calculated benefit for those months.

3) The school year 2021-2022 P-EBT benefit per day of \$7.10.

Table 1: Reduction in CACFP lunch claims – first issuance

CACFP lunch claims pre-pandemic months		CACFP lunch claims current school year months		Percent Reduction	Number of Student Days	Daily Benefit Amount	Monthly Benefit Amount
Aug 2019	167,491	Aug 2021	137,695	17.79%	8.75	\$7.10	\$11.05
Sept 2019	144,019	Sept 2021	113,902	20.91%	17.5	\$7.10	\$25.98
Oct 2019	165,564	Oct 2021	114,631	30.76%	17.5	\$7.10	\$38.22
Nov 2019	136,980	Nov 2021	106,759	22.06%	17.5	\$7.10	\$27.41
Total	614,054		472,987	22.88%	61.25	\$7.10	\$102.66

Table 2: Reduction in CACFP lunch claims – second issuance (data to be added as it becomes available)

CACFP lunch claims pre-pandemic months		CACFP lunch claims current school year months		Percent Reduction	Number of Student Days	Daily Benefit Amount	Monthly Benefit Amount
Dec 2019	132,933	Dec 2021	101,134	23.92%	17.5	\$7.10	\$29.72
Jan 2020	158,349	Jan 2022	101,814	35.70%	17.5	\$7.10	\$44.36
Feb 2020	140,140	Feb 2022	103,721	25.99%	17.5	\$7.10	\$32.29
Mar 2019	160,744	Mar 2022	118,162	26.49%	17.5	\$7.10	\$32.91
Apr 2019	167,431	Apr 2022	115,374	31.09%	17.5	\$7.10	\$38.63
May 2019	117,149	May 2022	117,325	33.77%	17.5	\$7.10	\$41.96
June 2019	160,121	June 2022	116,872	27.01%	8.75	\$7.10	\$16.78
Total	1,096,867		774,402	29.30%	113.75	\$7.10	\$236.65

6. Implementation Timeline, EBT Processing, and Benefit Issuance

Please provide an implementation timeline for SY 2021-2022 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 SY 2020-2021, 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.
- **Day #0 FNS approves Maine's P-EBT plan**
- **Day #2 OFI and MDOE update P-EBT specific information on websites**

- **Day #3 P-EBT hotline and P-EBT e-mail go live**
- **Day #5 OFI meets with community advocates for information sharing**
- **Day #7 OFI creates informational documents for SY 2022 P-EBT**
- **Day #9 Public noticing campaign begins**

The MDOE will provide OFI with student specific learning models, daily attendance and a list of all students eligible for FaRL. The first data set is estimated to be provided to OFI in mid-June. Within 2 days of receipt of this data set OFI IT will begin work on case maintenance and issuance files.

First issuance for August, September, October and November is estimated to occur 6/21/2022 for school aged children.

Second issuance for August, September, October and November for children under age 6, December, January, February, March, April, May and June for all children, and reconciliation for the first issuance is estimated to occur 08/31/2022. Third issuance for reconciliation of the second issuance is estimated to occur 09/27/2022.

Please also address each of the following:

- Will the State issue P-EBT benefits on a unique P-EBT card design? **Yes.** If so, who will receive these cards, non-SNAP households only? **Only non-SNAP households.** 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 SY 2020-2021. This will greatly facilitate the States' ability to report and USDA to maintain accountability for P-EBT. **The state will use sub-benefit type codes to distinguish between SNAP, P-EBT and D-SNAP.**

- 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. **P-EBT, SNAP and then D-SNAP.**
- 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. **We will follow Maine's current SNAP expungement rules.**
- During SY 2020-2021, large numbers of P-EBT cards were returned to EBT processors via mail, due to incorrect addresses. 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? **Returned cards will be destroyed. Replacement cards will be issued by OFI at the household's request.**
- Will you issue *new* P-EBT cards to existing P-EBT households? **No**
 - 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? **Replacement cards will be issued by OFI at the household's request.**

Response: [please use as much space as needed]

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 from actual or potential P-EBT households.
2. USDA strongly encourages States to provide relevant program information to actual and potential P-EBT households.

- 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. **OFI tentatively plans to hire limited period staff that will answer questions via a P-EBT hotline and resolve disputes. OFI is creating an “application” for the reconciliation process. This application will follow the requirements set forth in the guidance document “P-EBT guidance for parent-initiated application for benefits” distributed to OFI on 01/20/2022.**
- 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. **Maine’s advocacy agencies have partnered with OFI and MDOE and conducted significant outreach to Maine’s most vulnerable populations. This partnership and outreach will continue for SY 2022 P-EBT. Informational documents and the reconciliation application will be translated to Arabic (Jordan), French (France), Lingala (Congo, DRC), and Spanish (Spain).**
- 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). **The OFI website will be the source for most of the P-EBT information. Advocates, schools and the MDOE know to refer questions to our website (linked below).**
- 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. **Our P-EBT Q&A instructs households that do not want P-EBT to destroy the card and states that it is illegal to give away P-EBT benefits.**
- 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 activation of 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: All the information USDA advised will be available on various State of Maine websites and/or they will have a link directing them to the OFI website where this information will be housed. This includes how to dispose of unwanted cards.

<https://www.maine.gov/dhhs/ofl/programs-services/food-supplement>.

There will be a message on our call queue directing people to the website which will help reduce call volume. The Wilton Call Center (WCC) that screens eligibility calls and answers questions will be provided this information so that they can assist the caller and only transfer callers to the P-EBT hotline if they are unable to help them. OFI has strong relationships with the MDOE and many community partners and advocates. We will leverage our partners' ability to assist with the distribution of P-EBT information.

8. Over-issuance of P-EBT benefits

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:

Maine commits to reporting all identified over issuances to NERO including the number of children affected, the dollar value and the nature of the error. Maine will have the ability to track any detected over issuance of P-EBT benefits. This data will be available in report form for analysis to determine if a claim will be established and pursued. Maine will use thresholds for pursuing P-EBT claims that were approved by FNS. Consideration will be given to the cause of the overpayment when determining whether to establish a claim. Should a claim be established, repayment of the claim will not occur by recoupment of regular SNAP benefits, but rather through other avenues of benefit repayment collection. Maine will not pursue over issuances without approval and guidance from FNS.

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. **We agree.**

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, for the period of performance October 1, 2021, through September 30, 2022. 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.

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 ground of race, color, or national origin, by providing meaningful access to its programs and activities for individuals who are limited English proficient, and by providing 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. 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:

DocuSigned by:



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Signature

Anthony Pelotte, Director, Office for Family Independence

DocuSigned by:



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Signature

Daniel Chuhta, Deputy Commissioner, Department of Education

Date of Request 8/16/2022