

**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:** Tennessee

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

Response

- School-Age Children – August 1, 2022 through May 11, 2023. The State commits to informing USDA of any significant increase or decrease in these data points during the date range covered by this plan.
- Non-School-Age Children in Child Care – August 1, 2022 through May 11, 2023. The State commits to informing USDA of any significant increase or decrease in these data points during the date range covered by this plan.

Tennessee issuance dates:

School-Age Children in SNAP Households/School-Age Children in Non-SNAP Households

Benefit Months	Issuance Month
August 2022 – January 2023	April 2023
Reconsideration	May 2023
February 2023 – May 11, 2023	June 2023
Clean-Up Period	June 2023

School-Age Children in Homeschool/ Virtual School

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).

Benefit Months	Issuance Month
August 2022 – May 11, 2023	July 2023
Clean-Up Period	July 2023

Non-School-Age Children in Child Care

Benefit Months	Issuance Month
August 2022 - May 11, 2023	July 2023
Clean-Up Period	July 2023

Note: Tennessee will end all P-EBT eligibility months in tandem with the end of the public health emergency (PHE). As such, eligible families will receive benefits only for approved months/days and may not receive benefits for the full school year (August 2022 through June 2023) or child care P-EBT months (August 2022 through May 2023) periods disclosed above.

If HHS lifts the PHE prior to July 1, 2023, P-EBT will expire at the end of the 2023 covered summer period; it will not extend into federal fiscal year 2024. Since funding appropriated for P-EBT under the FFCRA is not available for obligations during a fiscal year in which there is no public health emergency, Tennessee will issue all P-EBT benefits by September 30, 2023.

- 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

Response

Estimates of P-EBT issuance during the date ranges covered by this plan are as follows:

School-Age Children – In-Person Schools

- Total issuance amount is estimated at \$28,584,682.80.
- The maximum total issuance amount estimate is calculated by multiplying the daily benefit amount (\$8.18) by 104% of the total number of students who received a SY 21-22 benefit (336,006 students) by 10 school days.
 - The SY 22-23 projection includes an additional 13,440 students (a 4% increase) to accommodate a possible year-over-year increase.
- Tennessee will not review school files against a list of SNAP households.
- Tennessee will issue cards to any families newly eligible for P-EBT benefits and will be load benefits onto existing cards for families that previously received P-EBT benefits.

School-Age Children – Homeschool/Virtual Schools

- Total issuance amount is estimated at \$184,050,000.00.
- The maximum total issuance amount estimate is calculated by multiplying the daily benefit amount (\$8.18) by the estimated number of homeschool/virtual school students (125,000) by 180 school days.
- Tennessee will issue cards to any families newly eligible for P-EBT benefits and will be load benefits onto existing cards for families that previously received P-EBT benefits.

Non-School-Age Children in Child Care

- Total issuance amount is estimated at \$50,459,148.00.
- The maximum total issuance amount estimate is calculated by multiplying the daily benefit amount (\$8.18) by 18 days (the average number of days in a full month) by 10 months by 149,000 children by 23% (the reduction percentage rate of meals for SY 21-22).
- Tennessee will set a standard monthly P-EBT child care benefit based on Child and Adult Care Food Program (CACFP) lunch claim data from August 2022 – April 2023.
- The actual monthly benefit amount for non-school-age children in child care will be calculated by multiplying the daily benefit amount (\$8.18) by 18 days (the average number of days in a full month) by the reduction percentage of meals for the months of August 2022 – April 2023 provided by FNS.
- Benefits issued during the month in which the PHE ends will be prorated accordingly.
- Each eligible child under age six (6) residing in a SNAP household could potentially receive a monthly benefit for a maximum of 10 months, depending on the PHE end date. TDHS will validate active SNAP household participation for each eligible month. Tennessee estimates approximately 149,000 eligible non-school-age children in child care.
- Tennessee will confirm with USDA-FNS prior to issuance of P-EBT benefits to non-school-age children in child care.

Table 1: CACFP Data (Lunch meals served)

Homes & Centers Excluding At-Risk Center Lunches in Tennessee¹

CACFP Lunch Claims Pre-Pandemic Months		CACFP Lunch Claims Current School Year Months		Percent Change, Single Issuance To be applied to the daily rate and number of instructional days per month.
August 2019	786,784	August 2022	663,786	
September 2019	806,541	September 2022	659,333	
October 2019	890,200	October 2022	576,636	
November 2019	726,450	November 2022	TBD	
December 2019	702,534	December 2022	TBD	
January 2020	845,900	January 2022	TBD	
February 2020	774,684	February 2022	TBD	
March 2019	866,267	March 2022	TBD	

April 2019		April 2022	TBD	
Total		Total	TBD	TBD%

¹2019-2020 in comparison to lunch meals served in 2022-2023, the reduction of claimed meals, and the % difference in years. The CACFP data includes free, reduced-price, and paid lunch meals served.

Note: Tennessee will end all P-EBT eligibility months in tandem with the end of the public health emergency (PHE). As such, eligible families will receive benefits only for approved months/days and may not receive benefits for the full school year (August 2022 through June 2023) or child care P-EBT months (August 2022 through May 2023) periods disclosed above.

If HHS lifts the PHE prior to July 1, 2023, P-EBT will expire at the end of the 2023 covered summer period; it will not extend into federal fiscal year 2024. Since funding appropriated for P-EBT under the FFCRA is not available for obligations during a fiscal year in which there is no public health emergency, Tennessee will issue all P-EBT benefits by September 30, 2023.

- 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 school-age children Homeschool/ Virtual School
 - Estimated number of non-school children in child care

Response

School-Age Children

- There are approximately 290,000 students direct certified through SNAP households.
- There are approximately 380,000 eligible students in non-SNAP households.
- There are approximately 125,000 eligible homeschool/virtual school students.
- In SY 21-22, Tennessee issued P-EBT benefits to 336,006 students, including approximately 290,000 SNAP direct certification students and the state’s NSLP participating student population. Tennessee’s SY 22-23 projection is based on its actual SY 21-22 numbers and includes an additional 50,401 students (a 15% increase) to accommodate a possible year-over-year increase and the inclusion of virtual/homeschool children for a total of 386,407 school-age students.

Non-School-Age Children in Child Care

- There are approximately 149,000 eligible non-school-age SNAP-enrolled children in child care. The number of participants in a SNAP household will be reviewed each month prior to issuance during FY 2022-2023

- d. Tentative P-EBT issuance schedule (the dates on which you will issue P-EBT benefits).

Response

School-Age Children in SNAP Households/School-Age Children in Non-SNAP Households

Benefit Months	Issuance Month
August 2022 – January 2023	April 2023
Reconsideration	May 2023
February 2023 – May 11, 2023	June 2023
Clean-Up Period	June 2023

School-Age Children in Homeschool/ Virtual School

Benefit Months	Issuance Month
August 2022 – May 11, 2023	July 2023
Clean-Up Period	July 2023

Non-School-Age Children in Child Care

Benefit Months	Issuance Month
August 2022 - May 11, 2023	July 2023
Clean-Up Period	July 2023

Note: Tennessee will end all P-EBT eligibility months in tandem with the end of the public health emergency (PHE). As such, eligible families will receive benefits only for approved months/days and may not receive benefits for the full school year (August 2022 through June 2023) or child care P-EBT months (August 2022 through May 2023) periods disclosed above.

If HHS lifts the PHE prior to July 1, 2023, P-EBT will expire at the end of the 2023 covered summer period; it will not extend into federal fiscal year 2024. Since funding appropriated for P-EBT under the FFCRA is not available for obligations during a fiscal year in which there is no public health emergency, Tennessee will issue all P-EBT benefits by September 30, 2023.

- e. Names of state agencies involved in administering this plan.

Response

The Tennessee Department of Human Services (TDHS) is responsible for the issuance of P-EBT benefits, as well as the issuance of P-EBT cards and replacement cards, notices to customers, and provision of customer service and support.

The Tennessee Department of Education (TDOE) trains local school districts on free and reduced-price eligibility determinations and provides continuous support throughout the school year. Local school districts determine school meal eligibility and track student learning and attendance.

TDHS and TDOE will work together to administer P-EBT, resolve any issues or concerns, provide guidance to school districts regarding eligibility criteria, and provide ongoing support for SY 2022-2023 data uploads to TDHS.

4. P-EBT for School Children (see Q&As #7-25)

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. Please describe separately for the subset of children enrolled in non-NSLP-participating fully virtual institutions or homeschooling who may be eligible for P-EBT (see Q&As #16 and #25). Also describe what measures the state will take to prevent the issuance of benefits to school year 2021-2022 graduates and other non-students.

Response

The Tennessee Department of Education (TDOE) trains local school districts on free and reduced-price eligibility determinations and provides continuous support throughout the school year. Local school districts determine NSLP meal eligibility and track student learning and attendance. TDOE and TDHS will work together to provide guidance to districts regarding P-EBT eligibility criteria and provide support for SY 2022-2023 data uploads to TDHS.

Students enrolled in non-NSLP-participating fully virtual institutions or homeschooling who may be eligible for P-EBT and were previously enrolled will be identified by communicating with each district's homeschool/virtual school liaison. Homeschool/virtual school families will be proactively provided information about P-EBT, including a registration link (to an online, publicly available form), and will be asked to provide confirmation regarding their choice of unenrolling/transferring their child(ren) from in-person Tennessee schools to a homeschool/virtual environment due to COVID-related reasons. TDOE will review and certify students' P-EBT eligibility prior to submitting students' data to TDHS for P-EBT benefit issuances. TDHS will rely upon TDOE's eligibility determination to distribute P-EBT benefits.

TDOE will determine if a homeschool/virtual school student can be certified for distribution of P-EBT benefits. Eligibility for homeschool/virtual school students will follow the below process:

When a homeschool/virtual school parent submits a P-EBT registration form for their child, TDOE will review and determine if:

- a) the child would attend a NSLP or CEP school had they not withdrawn/transferred for COVID-related reasons;
- b) the child left their previous in-person school at some point after the PHE began (except for K-2 students who began homeschool/virtual school after the beginning of the pandemic); and
- c) the child (household) meets the free and reduced-price income eligibility requirements.

If TDOE determines that eligibility is not met, then the P-EBT registration is not accepted. The parent may follow TDOE's normal review process associated with NSLP. If the homeschool/virtual school child is certified by TDOE as meeting the P-EBT eligibility requirements *and* the benefits were not distributed, then a parent may file an administrative review on the P-EBT parent portal.

After analyzing the state's Education Information System (EIS), TDOE estimates that 1.6% of all homeschool/virtual school students may only be eligible for a partial year benefit due to withdrawing/transferring from an in-person school to a homeschool or virtual school during SY 2022-2023. Technical limitations prevent the EIS from communicating directly with the P-EBT attendance, eligibility, and benefit issuance systems, forcing a manual process for TDOE staff to calculate partial month benefit amounts. Given that manual calculations will create an additional administrative burden to accommodate this relatively small population of applicants and create additional opportunities for human error, and in order to allow the other 98.4% of homeschool/virtual school students to be issued benefits timely, TN proposes that homeschool/virtual school students with a partial month benefit be processed by rounding up the partial month benefit to issue a full month's benefit (with the exception of May 2023, due to the PHE ending on May 11, 2023).

SY 2021-2022 graduates and other non-students will not possess valid state student identification numbers needed to register for possible P-EBT benefits in SY 22-23.

- How will the state determine and/or confirm each child’s eligibility for free or reduced-price meals? 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), children who become eligible during the school year, and the subset of children enrolled in non-NSLP-participating fully virtual institutions or homeschooling who may be eligible for P-EBT.

Response

To identify eligible school-age children and confirm their eligibility, TDOE will ask districts to upload a list of SY 2022-2023 students participating in the NSLP and School Breakfast Program as of August 2022. Students who begin SY 22-23 in carryforward status from SY 21-22 will be asked to complete a new application for free and reduced-price meals. Carryforward eligibility will apply for students for 30 operating days, after which a new application must be submitted and certified for the student to continue to qualify for free and reduced-price meal benefits and potential P-EBT benefits.

Eligible students include children who are:

- a. Directly certified or determined “other source categorically eligible” for SY 2022-2023, or
- b. Certified through submission of a household application processed by the child’s school district for SY 2022-2023 (to include all families of new students, such as kindergarteners, and to any family that may have become newly eligible for free or reduced-price meals this year), or
- c. Enrolled in a Community Eligibility Provision school or a school operating under Provisions 2 or 3, or
- d. Directly certified, determined other source categorically eligible, or certified by application in SY 2022-2023. This will exclude students who have graduated.

Non-public schools will submit all eligible students to the TDHS portal monthly.

New students such as kindergarteners and transfer students will receive a state student identification number upon enrollment and will be identified for potential eligibility through existing processes described for all enrolled students. Students who become eligible during the school year will be uploaded to the portal the month of eligibility from local school systems.

TDOE will confirm the identity of children who began their school careers after the start of the pandemic and who have always been homeschooled/enrolled in virtual school by referencing the state’s homeschool/virtual school registration lists. Children

who were not registered with the state as attending homeschool/virtual school will not be eligible for the homeschool/virtual school P-EBT benefit.

Students enrolled in non-NSLP-participating fully virtual institutions or homeschooling who may be eligible for P-EBT will be identified by local homeschool/virtual school personnel and communicated to TDOE. Using contact information provided by the homeschool/virtual student liaisons, TDOE will proactively communicate directly with homeschool/virtual school families via robocall and email regarding P-EBT registration, including providing the URL/link register for homeschool P-EBT benefits via an online, publicly available form.

Through the registration form, homeschool/virtual school parents will provide:

- a) Basic demographic information,
- b) Confirmation regarding their choice of unenrolling/transferring their child from in-person Tennessee Schools to a homeschool/virtual environment for COVID-related reasons,
- c) Name of the child's previous school along and the month/year of unenrollment or transfer,
- d) Name of the school that the child would have attended this year if not for the COVID-19 public health emergency, and
- e) A complete free and reduced-price meal application.

TDOE will validate the name of each child entered into the homeschool/virtual school P-EBT registration form against prior state/local enrollment lists for NSLP schools in order to protect against fraudulent claims. TDOE will verify that the school the child would have attended if not for COVID-19 is a NSLP participating institution. Lastly, TDOE will certify students' P-EBT eligibility prior to submitting students' data to TDHS for P-EBT benefit issuance.

To verify income eligibility for free or reduced-price school meals for children participating in homeschool/virtual schools, Tennessee will require all non-CEP applicants to submit income documentation at the time of NSLP application. TDOE will use the documentation provided by households with their applications to verify the eligibility of the first 100 applicants. If the error rate for the first 100 applicant households is below 5%, then TDOE will review and verify documentation for 10% of the remaining applications. If, at any time, the error rate rises above 5%, then TDOE will resume verifying income documentation for all applicants.

- 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.

Response

In an attempt to capture every eligible public school student who was absent for COVID-related reasons, Tennessee will utilize the following simplified assumption:

students attending schools that have not implemented the “Y” and “Z” attendance codes (indicating an absence due to COVID-19) who have been absent six (6) or more consecutive instructional days will automatically qualify to receive the P-EBT benefit amount for those absent days.

Each participating non-public school will upload eligible students with confirmed COVID-related absences to the portal monthly.

- If the state’s schools will continue to impose temporary virtual or hybrid schedules, describe the process that the state will use to update each child’s in-person and virtual schedules (see Q&A #12). How frequently will that information be updated? (Note that this information must be updated no less frequently than every other month.).

Response

N/A

- Describe the process that the state will use to identify individual students’ COVID-related absences or virtual learning days, including the process to identify, confirm and monitor the enrollment status of children in non-NSLP-participating fully virtual institutions or homeschooling.

Response

To confirm benefit eligibility, TDOE will initially provide attendance information (via a batch analysis of attendance data that will determine the number of eligible days based on the assumptions above) to TDHS in the early stages of the SY 2022-2023 plan months. This analysis will be based upon the list of eligible students uploaded to the TDHS portal by school districts, subsequently provided to TDOE by TDHS. TDOE will return the analysis to TDHS for benefit confirmation and issuance, implementing the benefit validation review protocol outlined above to validate and attest COVID-related absences. TDHS will provide the reconsideration process to capture any discrepancies or missed days within the parent portal during the clean-up process. In subsequent analysis cycles, TDHS will pivot to utilizing shared data (approved under an interagency agreement) and utilizing the P-20 platform (TN state longitudinal data system) for attendance analysis. This will allow TDHS to access attendance data on demand for a more streamlined approach.

Non-public schools will submit monthly uploads of qualifying students through the TDHS portal, and any quality control or inconsistencies will be addressed by field service staff directly with the non-public entity. TDOE communicates with non-public schools through its listserv, and typically there are less than 20 schools that participate in NSLP. TDOE does not have jurisdiction over non-public schools and therefore does not have access to attendance records.

School Districts are required to report daily attendance to the state, and guidance has been provided to districts about using codes “Y” and “Z” to identify students absent due to COVID-19. Monthly, TDOE will match student eligibility data with attendance data provided by the districts and provide the results to TDHS for benefit issuance until the P-20 data agreement is formalized (giving TDHS access to attendance information in real time).

TDOE will exclude absences after the PHE end date prior to submitting attendance data to TDHS. Similarly, private schools will receive clear guidance that absences following the PHE end date should not be submitted as P-EBT-eligible days.

- 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).

Response

Local school districts will confirm eligibility for free and reduced-price meal eligibility. TDOE, utilizing the statewide reporting system and based on the list of eligible students, will confirm attendance data as reported by districts to determine P-EBT eligibility through its information system platform (EIS) until the P-20 data sharing agreement is in place. TDHS will issue benefits based on information received from TDOE.

- 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. *(Please review Q&A #25 on simplifying assumptions regarding fully virtual schools and homeschooling.)*

Response

Benefits will be issued to individual students that meet eligibility and attendance requirements; simplified assumptions will be applied to SY 2022-2023 P-EBT benefit issuance. TDOE created the “Y” and “Z” codes to assist districts with COVID absences and has communicated with all districts (via webinars, newsletters, weekly updates to directors of schools, conferences, and individual calls) the importance of tracking COVID absences. Both TDOE and TDHS know from previous P-EBT rounds that not all TN districts understand/comply with correct student coding and believe it necessary to offer a simplified assumption to all districts in order for eligible students to receive earned benefits.

Using past CDC guidelines on 10-day quarantine for COVID, TDOE knows that (depending on which weekday the quarantine begins) a student will miss 6, 7, or 8 instructional days – or potentially more in severe cases of COVID.

As such, TDHS and TDOE will provide P-EBT benefits to qualifying students for 6 or more consecutive days absent (verified by attendance records). In an attempt to capture every eligible public school student who was absent for COVID-related reasons, Tennessee will utilize the following simplified assumption: students attending schools that have not implemented the “Y” and “Z” attendance codes (indicating an absence due to COVID-19) who have been absent six (6) or more consecutive instructional days will automatically qualify to receive the P-EBT benefit amount for those absent days. The simplified assumption only applies to students attending schools not using the “Y” and “Z” attendance codes.

During the PHE, and considering the variability of compliance around state guidance, we feel compelled to offer another avenue to qualify eligible students for COVID-related benefits. Without such an assumption, many eligible students will not receive benefits that they should qualify to receive.

In summary:

1. Schools that use codes of “Y” and “Z”: TDOE and TDHS will provide P-EBT benefits to students consistent with the number of days absent due to COVID-19.
2. If a school does not utilize codes of “Y” and “Z”:
 - a. Any excused absence of 6 or more consecutive days will be presumed COVID-related and eligible children will receive a P-EBT benefit consistent with those days.
 - b. Any excused absences of 5 days or less will be sent back to the school for validation that the absence was COVID-related.
 - i. If the school can validate that the absence was COVID-related through other school-level forms of documentation, the child will automatically receive a benefit consistent with those days without needing to go through the reconsideration process once the school has updated the attendance record with the appropriate special code (Y or Z).
 - ii. If the school cannot validate that the absence was COVID-related, the child will need to go through the reconsideration process to receive P-EBT benefits.
3. Reconsideration process:
 - a. Families can use the reconsideration process to attest that their child had a COVID-related absence. The State can then validate that the absence was an excused absence using the “A” code. TDOE will not need to go back to the school for this information; it can simply validate that the days claimed by the parent as COVID-related were originally coded as “A” and should be reconciled as “Y” or “Z”.

- b. Parents whose child received an unexcused absence (“U”) in error and want to receive a P-EBT benefit for a COVID-related absence will need to file an administrative review and provide supporting documentation of the absence days in the parent portal.

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 schools. Also describe how the state will identify the period of duration of the closure, reduced hours, or reduced attendance of the state’s schools.

Response

TDOE will verify attendance/closure information through its Student Information System platform (EIS) and seek clarity from local districts when needed.

- 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?

Response

TDOE will confirm via its Student Information System platform (EIS), daily attendance, and communication with local districts. If and when a school meets the minimum 5 consecutive day threshold during SY 2022-2023, then that school will not need to meet the threshold again for the duration of the current federal PHE. The school must meet the minimum 5 consecutive day threshold (due to COVID-19 quarantine, school/classroom closure for 5 days, or school/classroom operating at reduced attendance or hours for 5 days) and students must be eligible for free or reduced-price meals under the regular NSLP guidelines. Students will receive a P-EBT benefit for days that they do not attend in person instruction and do not have access to a meal service at the school due to COVID-19.

- 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.)

Response

Tennessee public schools will provide via its Student Information System platform (EIS) student absence data due to COVID-19 (“Y” and “Z” codes). Schools will use these codes to provide attendance data for each student. The state will gather this information on a monthly basis. School districts are required to report daily attendance to the state, and guidance has been provided to districts about using special codes “Y and Z” to identify any students who were absent due to COVID-related reasons. classes, or schools absent due to COVID-19. A list will be compiled and will then be shared with Accenture (TDHS) along with EIS attendance data.

Tennessee non-public schools that participate in NSLP free and reduced-price meals will provide the number of absence days related to COVID-19 to Accenture (TDHS) on a monthly basis. Private school districts are required upload any newly eligible students qualified through the free and reduced-price application to the TDHS portal.

- 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.

Response

Benefits will be issued to individual students who meet the eligibility and attendance requirements; simplified assumptions will be applied to SY 2022-2023 P-EBT benefit issuance. TDOE created the “Y and Z” codes to assist districts with COVID absences. TDOE has communicated with all districts the importance of tracking COVID absences via webinars, newsletters, weekly updates to directors of schools, conferences, and individual calls.

Using past CDC guidelines on 10-day quarantine for COVID, TDOE knows that (depending on which weekday the quarantine begins) a student will miss 6, 7, or 8 instructional days – or potentially more in severe cases of COVID.

As such, TDHS and TDOE will provide P-EBT benefits to qualifying students for 6 or more consecutive days absent (verified by attendance records). In an attempt to capture every eligible public school student who was absent for COVID-related reasons, Tennessee will utilize the following simplified assumption: students attending schools that have not implemented the “Y” and “Z” attendance codes (indicating an absence due to COVID-19) who have been absent six (6) or more

consecutive instructional days will automatically qualify to receive the P-EBT benefit amount for those absent days. The simplified assumption only applies to students attending schools not using the “Y” and “Z” attendance codes.

During the PHE, and considering the variability of compliance around state guidance, we feel compelled to offer another avenue to qualify eligible students for COVID-related benefits. Without such an assumption, many eligible students will not receive benefits that they should qualify to receive.

The simplified assumption will not apply to students in non-public schools. Non-public schools are required to submit an exact number of absence days.

5. 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.

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:
 - a) the child’s child care facility is closed or is operating with reduced attendance or hours, or
 - b) 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

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.

Tennessee will define children enrolled in a covered childcare facility under the FFCRA by identifying all children under 6 as of August 1, 2022, as SNAP household members from ACCENT eligibility system. The list of SNAP children under 6 years old will be compared to the list of school children eligible for P-EBT to ensure that they are paid only once for the respective benefit month.

Tennessee will pull all children under 6 years of age in a SNAP participating household from the ACCENT eligibility system monthly. Tennessee will adhere to all privacy requirements in accordance with SNAP policy.

Tennessee is not basing child care eligibility on proximity to area schools in this plan. We are using the recommended FNS 44 90-day reports that include CACFP lunch meals served in 2021-2022 and the reduction percentage compared to 2022-2023.

Tennessee will request CACFP data from USDA-FNS to determine the reduction percentage of meals for the months of August 2022 – April 2023 and use this data to set a standard monthly P-EBT child care benefit. In addition, prior to issuance of P-EBT child care benefits, Tennessee will confirm with USDA-FNS that the reduction percentages are correct.

Tennessee anticipates retroactively issuing P-EBT benefits to children eligible under the child care plan, therefore prospective eligibility determinations will not be necessary. As stated above, Tennessee proposes to assess historical CACFP lunch data as a proxy for child care benefit allowances.

6. 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 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

Tennessee proposes two simplifying assumptions:

First, a child who turns 6 after August 1, 2022, and who is not enrolled in school at the start of this plan will remain in child care for the remainder of the school year.

Secondly, all children under 6 enrolled in a SNAP participating household will be eligible for P-EBT benefits statewide based on TDHS’ analysis that the child care system continues to operate at significantly reduced capacity across the state due to the COVID-19 pandemic.

Using the CACFP Lunch Claim data, TDHS determined that administrators of child care facilities continue to operate during the Fall 2022 semester at significantly reduced capacity due to the COVID-19 pandemic. Tennessee will review SNAP participation monthly for eligibility of PEBT benefits and we will validate the reduction percentages for the approved timeframe with FNS prior to issuance.

Tennessee proposes to set a standard monthly P-EBT child care benefit based on CACFP data from August 2022 – April 2023. The benefit for child care children includes 18 days per month multiplied by the reduction percentage of meals for the months of August 2022 – April 2023, multiplied by the daily rate (\$8.18).

Note: Tennessee will end all PEBT eligibility months once the Public Health Emergency (PHE) ends. Therefore, families will only receive benefits based on the

approved months and may not get benefits for the full disclosed school year August 2022 through June 2023 or Child Care PEBT months August 2022 – May 2023, as written in this plan.

If HHS lifts the PHE prior to July 1, 2023, P-EBT will expire at the end of the 2023 covered summer period; it will not extend into federal fiscal year 2024, and because funding appropriated for P-EBT under the FFCRA is not available for obligations in a fiscal year where there is no public health emergency, Tennessee will issue all P-EBT benefits by September 30, 2023.

7. 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.

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

School-Age Children

- The proposed approach is as follows:
 - TDOE will inform school districts of the reporting criteria and the process for uploading data to the portal for public and non-public schools that are eligible for P-EBT participation.
 - Homeschool/virtual school families will register for P-EBT via the State's online P-EBT parent portal beginning in April 2023 and must submit all applications by April 21, 2023. Parents will certify that, due to COVID-19, their children elected to depart from Tennessee public/non-public schools that participated in P-EBT programs since January 2020.
 - Submission instructions:
 - Tennessee will request that school districts send (on a monthly basis) files for school-age children in SNAP households and school-age children in non-SNAP households for the duration of the PHE.
 - School-age children in SNAP households/school-age children in non-SNAP households who participate in homeschool/virtual school options and who are known to homeschool/virtual school liaisons will be proactively provided information about P-EBT, including a publicly available registration link to provide confirmation regarding their choice of unenrolling/transferring from in-person Tennessee schools to a homeschool/virtual environment due to the COVID-19 public health emergency. TDOE will certify that students are eligible prior to submitting students' data to TDHS for P-EBT benefit issuance.
 - The first benefit issuance will take place in April 2023; subsequent benefit issuances will take place in May 2023 and June 2023.
 - Beginning in June 2023, TDHS will issue any missed benefits found during the clean-up process.
 - TDHS will begin file transfers to EBT processor Conduent, begin notice production, and commence a public awareness campaign. TDHS will communicate with/will share the P-EBT plan with Conduent.
 - For previous P-EBT recipients, new P-EBT benefits will be loaded onto the same cards provided in previous cycles. If new cards are needed, parents can submit updated address information and/or replacement card requests via the parent portal or call the P-EBT

Hotline at 833-419-3210. Newly eligible children that have not previously received a P-EBT card will be issued new cards.

- Notifications of P-EBT benefit distributions will be shared via social media, press releases, websites, and via community advocates.
- The state intends to adhere to the following distribution model:
 - P-EBT students will receive benefits on existing P-EBT cards during this round. New cards will be issued to those who are newly eligible for P-EBT. Replacement cards will be issued at parents' request.
 - Each month, P-EBT benefits will be issued to the same card.
 - P-EBT cards will have a unique design dissimilar to standard SNAP EBT cards.
 - P-EBT cards will follow the same expungement rules used for SNAP.
 - TDHS has established a replacement card request process via its P-EBT Hotline for families whose cards have been lost or damaged.
 - Tennessee will continue its use of the P-EBT benefit code, specific to P-EBT. Currently, the P-EBT draw/spend priority is above/before SNAP.
 - Undeliverable cards will be returned to Conduent. Conduent will provide the state with a report listing P-EBT cards that were returned, deactivated, and destroyed.
- Note: Delays of 3-5 days may occur based on weekend and holiday schedules. Tennessee intends to issue P-EBT benefits on a retrospective basis.

Non-School-Age Children in Child Care

- Tennessee plans to issue a one-time payment for child care P-EBT benefit in July 2023. (School year and summer benefits for non-school-age children in child care will share an issuance date; summer benefits are covered in the Summer P-EBT state plan.)
- The proposed approach is as follows:
 - Tennessee plans to align P-EBT child care issuance dates after all participants of school-age P-EBT benefits have been calculated to ensure children are not participating in both disbursements of P-EBT benefits.
 - TDHS will gather data for SNAP participant households with children age 6 and under who attend child care in Tennessee.
 - TDHS will begin file transfers to EBT processor Conduent, begin notice production, and commence a public awareness campaign. TDHS will communicate with/will share the P-EBT plan with Conduent.
 - Clean-up period and issuance for missed benefits will begin July 2023.
 - Similar to the 2021-2022 school year, all SNAP participating households with children age 6 and under who are P-EBT eligible will

- receive benefits on the existing SNAP case/card through which they were actively receiving benefits during a particular month within the covered period. There is no new SNAP card design.
- Notifications of P-EBT benefit distributions will be shared via social media, press releases, websites, and via community advocates.
 - The state intends to adhere to the following distribution model:
 - SNAP P-EBT recipients will receive benefits on their existing SNAP cards during this round of issuance. Replacement cards will be issued at parents' request.
 - Each month, P-EBT benefits will be issued to the same card.
 - P-EBT cards will follow the same expungement rules used for SNAP.
 - TDHS has established a replacement card request process via its P-EBT Hotline for families whose cards have been lost or damaged.
 - Tennessee will continue its use of the P-EBT benefit code, specific to P-EBT. Currently, the P-EBT draw/spend priority is above/before SNAP.
 - Undeliverable cards will be returned to Conduent. Conduent will provide the state with a report listing P-EBT cards that were returned, deactivated, and destroyed.
 - Note: Delays of 3-5 days may occur based on weekend and holiday schedules. Tennessee intends to issue P-EBT benefits on a retrospective basis.

TN will follow the same expungement rules currently applied to SNAP benefits. The State will systematically expunge benefits after 274 days of account inactivity in accordance with 7 CFR 274.2(i). TN will not reinstate benefits for households that used a portion of their P-EBT benefits before the balance was expunged due to non-use.

During the administrative review process, TN will verify that each claim meets one or more of the following criteria prior to the reinstatement of benefits:

- Parent never received the P-EBT card and no benefits were used
- Parent moved to a new address and did not receive the P-EBT card
- Parent did not know their eligibility status due to child attending a CEP school
- Parent was unaware of additional P-EBT issuances
- **MG and Shawn – additional criteria?**

The State will process timely submitted claims and reissue expunged P-EBT benefits to households that meet the above criteria. Each requested reinstatement will be verified on a case-by-case basis before benefits are issued.

8. 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.
- 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 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 P-EBT PIN
 - 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

TDHS has developed a multi-faceted approach to assist with efficiency and providing great customer service. TDHS will ensure robust and accurate communication to all eligible households regardless of primary language, lack of permanent address, or access to technology. Customers will have the ability to update their mailing address, check their benefit amount, decline the P-EBT benefit, and file an administrative review using the customer portal, IVR technology, or by speaking directly with a call center agent. Customers will also have access to general P-EBT program information via the TDHS webpage, AVA chatbot, text messages, and social media blasts. TDHS created an internal P-EBT inbox to receive information from field staff regarding issues that customer service representatives cannot quickly resolve. A TDHS SNAP Unit team monitors the inbox and problem-solves issues utilizing records provided by school districts and the EBT vendor. When THDS cannot locate a child/student in the documents received from school districts, TDHS will utilize the reconsideration process (available to parents and school district representatives) to determine if an administrative error occurred.

Reconsideration Process: allows the parents of any eligible free and reduced-price student to report a disagreement through the parent portal. TDOE and TDHS will use existing technology for parent and school/district access to facilitate the reconsideration process.

TDHS will utilize the reconsideration process to capture any discrepancies with incorrectly coded absence days during the clean-up process, parents will be able to attest that the excused absence days are COVID-19 related.

Parents can submit an administrative review of any disputed days and also have the opportunity to submit supporting documentation for the disputed days related to P-EBT benefits through the P-EBT parent portal. In order to be eligible for P-EBT benefits, the child must meet the criteria set forth on page 7 of this plan.

If a dispute exists after the initial administrative review, an impartial Administrative Judge (AJ) will review documents submitted by TDHS and Appellants to determine if P-EBT benefits were distributed properly by TDHS.

Parents will be encouraged and directed to the P-EBT hotline and P-EBT portal for customer service and accessibility needs. The P-EBT hotline and portal will provide instructions to parents on how to file an administrative review if a dispute remains after the reconsideration process.

TDHS and TDOE are committed to equitable access for all eligible families regardless of circumstances. We are working with each school district's homeless liaison to address families who have not received their cards due to outdated addresses or lack of permanent addresses. School districts may choose to serve as the mailing address for these families. If schools elect this option, program integrity safeguards are available. Families will sign an attestation that they received the card, and at the end of 30 days of receipt of the card, the school district will be required to submit to TDHS the signatures and any cards that parents did not pick up. TDHS will collaborate with a Tennessee Department of Children Services (TDCS) team that establishes the first round of P-EBT on address/location updates for foster children. Collection of social security numbers (SSN) are not necessary to apply for NSLP; therefore, children without SSNs may pursue eligibility for P-EBT through an NSLP application.

The state is also committed to serving all eligible children regardless of primary language. TDHS has established the P-EBT webpage, <https://www.tn.gov/humanservices/covid-19/p-ebt-and-covid-19-faqs.html>, available in four languages, including all outreach materials. TDOE will share these materials with school districts to distribute to their families.

Public Awareness Campaign: The state will conduct a public information campaign using websites and social media platforms. Tennessee intends to issue a press release in English and Spanish to target state-wide and local news organizations. The state will work with schools and community organizations on language for emails, and flyers. Information regarding foods purchased with P-EBT benefits, explanations of violations and penalties (particularly trafficking), and those benefits are non-transferrable will be included on these platforms.

Direct Communication: All eligible P-EBT children will receive a notice with their P-EBT card for the first issuance. The message will include an explanation of P-EBT generally, eligibility for the program, issuance cycles, how to check balances, how to request a replacement card, where to use the P-EBT benefits, whom to contact for questions, whom to contact to file an administrative review and how to opt-out. Step-by-step instructions on how to PIN their P-EBT card and how to decline benefits are included with the notice, and the notice is available in English and Spanish.

TDHS will create flyers, text/email language, sample social media posts, and graphics in multiple languages, similar to previous P-EBT issuances. TDHS and TDOE will share outreach materials with schools, community organizations, and sister agencies. TDOE will work with the Districts and local schools to communicate to parents via press releases, flyers, and social media. TDHS will send notification regarding reusing cards from previous P-EBT rounds to reduce issuance of new cards. Notifications are sent via social media and district level emails will be sent from TDHS supporting partner Accenture. Homeschool/Virtual parents will receive a FAQ document, access to portal requirements, social media blasts, emails, text message campaigns, including outreach with advocacy groups to help communicate the registration link. Tennessee will encourage all families who left public/private TN schools due to COVID-19 to register using the registration link.

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

TDOE will not pursue over-issuance from districts as a result of human error.

TDHS will make all reasonable efforts to detect over-issuances and improper payments. These efforts will include utilizing established methods and channels to receive tips, complaints, and referrals regarding P-EBT activity. We will coordinate with relevant state agencies and local authorities for case data collection and analysis, conduct follow up inquiries as appropriate, and refer cases to USDA for final claims processing.

Accenture will receive the P-EBT files from the school districts and create a notification within their system to identify over-issuance/ duplicated requests.

In addition, Accenture will establish business rules to include (1) no child shall get 30 consecutive days' worth of P-EBT benefits, (2) no child should receive four (4) consecutive months of benefits without prior approval of Tennessee school districts through the Benefit Validation Request (BVR) process. BVR is utilized to assist Accenture/TDHS with verification of benefits per child. Schools are able to review their data submissions and determine if the information is accurately documented. During the BVR process the schools provide an attestation of accuracy following review of their submissions.

Tennessee commits to inform USDA of all over-issuances, the number of children affected, and the aggregate amount of the over-issuance. Tennessee further commits to providing a thorough description of the correction action Tennessee will take to prevent reoccurrence of the P-EBT over-issuance. The above information will be provided to USDA via USDA's preferred template. Tennessee commits to informing USDA of any overpayment before taking action to recover benefits from households.

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:

State SNAP/EBT Director, TDHS
Michelle Joyner

State Nutrition Director, TDOE
William Byford

Date of Request: March 28, 2023