

**State Plan for Pandemic EBT
Summer 2023**

Issuing Agency/Office:	FNS / Child Nutrition Programs, Supplemental Nutrition Assistance Program
Title of Document:	State Plan for Pandemic EBT: Summer 2023
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Summary:	(1) This document is a template to assist states in the development of an approved state plan to operate Pandemic EBT for school children and for children in child care during summer 2023. (2) This document relates to Section 1101 of the Families First Coronavirus Response Act (P.L. 116-127) as amended by the Continuing Appropriations Act, 2021 and Other Extensions Act (P.L. 116-159), the Consolidated Appropriations Act, 2021 (P.L. 116-260), the American Rescue Plan Act, 2021 (P.L. 117-2), and the Consolidated Appropriations Act, 2023 (P.L. 117-328).
Disclaimer:	The contents of this guidance document do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.

Additional context and background for this document can be found at:
<https://www.fns.usda.gov/snap/state-guidance-coronavirus-pandemic-ebt-pebt>

The submission of a P-EBT state plan, associated template and related reporting obligations are addressed in OMB# 0584-0660, expiration 11/30/2023.

**State Plan for Pandemic EBT
Summer 2023**

*Please note that due to the FY 2023 Consolidated Appropriations Act, states can submit a P-EBT Plan for Summer 2023 **without** a School Year 2022-2023 P-EBT Plan for School Children or Children in Child Care.*

1. State: United States Virgin Islands

2. Primary Citation: Families First Coronavirus Response Act (FFCRA), as amended.

3. Executive Summary:

Please provide the following data. In addition, please include a statement indicating that you commit to informing USDA of any significant increase or decrease in these data points during the summer period covered by this initial plan (or subsequent amendment).

- a. Estimated total amount of P-EBT benefits the state will issue to school children within this amendment's date range.¹ (Consult the appropriate table in Section 4, "Benefit Levels.")
- b. Estimated total number of school children to which the state will issue P-EBT benefits.
- c. Tentative P-EBT issuance schedule (the date(s) on which Summer P-EBT benefits will be issued). Assuming that the public health emergency ends on May 11 as anticipated, P-EBT funds will not be available beyond the end of fiscal year 2023. **As a result, states must issue all P-EBT benefits by September 30, 2023.** This applies to P-EBT benefits for school year 2022-2023 and summer 2023. Benefits issued by the states for the summer and school year after this date may result in liability to the state.
- d. Names of state agencies involved in administering this plan.

Response:

USVI does not expect any significant increase or decrease in these data points. USVI is committed to inform USDA of any significant changes during the summer period covered by this initial plan.

¹ The Biden Administration recently announced that, at present, it intends to end the COVID-19 public health emergency declaration on May 11, 2023. In the event that the public health emergency does end on May 11, prior to the start of P-EBT's covered summer period, states may not issue P-EBT summer benefits to children in child care in 2023.

- a. Estimated total amount of P-EBT benefits the state will issue to school children within this amendment’s date range.² (Consult the appropriate table in Section 4, “Benefit Levels.”) ***\$1,720,264.00***
- b. Estimated total number of school children to which the state will issue P-EBT benefits. ***12, 376.***
- c. P-EBT issuance schedule (the date(s) on which Summer P-EBT benefits will be issued). Assuming that the public health emergency ends on May 11 as anticipated, P-EBT funds will not be available beyond the end of fiscal year 2023. **As a result, states must issue all P-EBT benefits by September 30, 2023.** This applies to P-EBT benefits for school year 2022-2023 and summer 2023. Benefits issued by the states for the summer and school year after this date may result in liability to the state.
USVI is tentatively scheduled to issue PEBT Summer 2023 benefits to school children during the week of August 28 2023.
- d. Name of state agencies involved in administering this plan.
 - Unites States Virgin Islands Department of Education (VIDE) as well as eligible private schools are responsible for confirming student’s eligibility for P-EBT by monitoring and collecting student learning mode classifications.
 - Unites States Virgin Islands Department of Human Services (VIDHS) is responsible for the administration of the P-EBT program to include processing files received from school entities, sending files to FIS for benefit issuance, notifying clients and general public about the P-EBT process, issuing replacement cards and operating Customer inquiry center.
 - Fidelity Information Services (FIS) is responsible for the issuance of P-EBT benefits, as well as the issuance of P-EBT cards and notification on how to use the card to new recipients, and provision of customer service and support.
 - Programming Solutions Inc (PSI) is responsible for conducting file review and processing, computer matching and screening to prevent duplicate eligibility and issuances and transmitting files to FIS).

4. Summer P-EBT for school children:

- Describe how the state will identify school children who attended an NSLP-participating school at the end of school year 2022-2023 who qualified to receive free or reduced price school meals under the NSLP or SBP. This group includes:

² The Biden Administration recently announced that, at present, it intends to end the COVID-19 public health emergency declaration on May 11, 2023. In the event that the public health emergency does end on May 11, prior to the start of P-EBT’s covered summer period, states may not issue P-EBT summer benefits to children in child care in 2023.

- School children who attended a school that participated in the Community Eligibility Provision or Special Provisions 2 or 3 in school year 2022-2023.
- Children who were directly certified for free school meals or who were certified by application for free or reduced price school meals during school year 2022-2023, or children who are determined newly eligible for free or reduced-price meals.

States may not issue summer 2023 P-EBT benefits to children who did not attend an NSLP-participating school at the end of the school year immediately preceding the summer (i.e. at the end of SY 22-23).

- Describe how the state will ensure that households with children eligible for free or reduced price school meals will have an opportunity to establish their eligibility by application through the end of SY 22-23 and into the summer of 2023 (*to the extent possible*). USDA understands that states that elect to keep their school meal application process open beyond the end of the school year will set a summer application deadline that allows the states to process these applications and issue benefits by September 30, 2023.

Response:

To identify the eligible school children and confirm their eligibility, USVI will collect lists of students who attended an NSLP-participating school in May 2023 regardless of learning mode from the VI Department of Education (VIDE) and by the administration of each eligible private school. The U.S. Virgin Islands School Food Authority offers all meals at no costs to students of all public and private schools in the territory via the USDA Community Eligibility Provision (CEP). All students attending public and private schools who participate in the National School Lunch Program are eligible to receive free breakfast, snack, and lunch. Consequently, U.S. Virgin Islands children do not have to individually apply to the School Food Authority for CEP eligibility based on family income.

Upon receipt of the public and private school files. USVI will verify that children who will receive summer benefits were enrolled in school as of the last month of the school year. Children who dropped out of school as of the last month of the school year are not eligible for P-EBT benefits. In addition, children who transferred to new school districts or moved out the VI will be issued PEBT benefits by those jurisdictions.

The US Virgin Islands State agency confirmed that the USVI State Food Authority (SFA) processes applications submitted by schools requesting free meals. The SFA does not collect eligibility applications from students or families. Applications for new schools applying for free meals are processed upon receipt, but if the application is submitted during summer months, the school begins free meals when their new schools have been newly approved to participate in the NSLP (and CEP) for SY 2023-2024. These schools are not eligible for Summer 2023 PEBT benefits.

5. Benefit Levels

Summer 2023 P-EBT Benefit

Please note that this new benefit from the Consolidated Appropriations Act, 2023 has changed from the level for Summer 2022 P-EBT benefits.

Summer 2023 P-EBT Benefit	
Contiguous U.S.	\$120
Alaska	188
Hawaii, Guam, Virgin Islands, Puerto Rico, American Samoa, Commonwealth of the Northern Mariana Islands	139

6. Implementation Timeline, EBT Processing, and Benefit Issuance

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

- States should develop their timeline cooperatively, including input from its EBT processor and all state agencies involved in implementing P-EBT. Instead of using specific dates, describe important milestones and realistic durations between them. USDA suggests that states build their timelines from the date USDA approves the state's plan (Day #0).
- The timeline must include the state's tentative issuance dates. In past years, most states issued in phases, and on a rolling basis thereafter. For example: issuance to SNAP households Day #10, to non-SNAP households on Day #15, and to newly identified cases from Day #16 onward. This is a best practice, which we encourage states to continue.
- If the PHE ends on or before September 30, 2023, states must issue all P-EBT benefits by September 30, 2023.
- Examples of other possible milestones include, but are not limited to:
 - State Education agency provides student data to SNAP state agency (Day #5)
 - P-EBT hotline becomes active (Day #9)
 - Public notice campaign begins (Day #10), etc.

Please also address each of the following:

- Will the state issue P-EBT benefits on a unique P-EBT card design? If so, who will receive these cards, non-SNAP households only? Or also SNAP households?
- How will the state distinguish P-EBT from SNAP and D-SNAP issuances? USDA strongly encourages the use of a sub-benefit type, even if your state did not do so in P-EBT issuances for previous school years. This will greatly facilitate the states' ability to report and USDA to maintain accountability for P-EBT.

- What will be your draw/spend priority for P-EBT, SNAP, and D-SNAP? USDA suggests making P-EBT first on your draw/spend priority.
- How will the state handle expungement of P-EBT benefits? USDA recommends that states follow the same expungement rules that the state currently follows for SNAP.
- How will you and your EBT processor handle returned P-EBT cards? How will you handle the need to issue replacement cards in these cases?
- Will you issue *new* P-EBT cards to existing P-EBT households?
 - If so, who will receive these cards? Non-SNAP households only? Or also SNAP households?
 - If not, how will you handle cases where the P-EBT household no longer has their P-EBT card?

Response:

Week of August 7, 2023

- State Plan is approved.
- Request FIS to submit Customer Authorization.

- Week of August 14, 2023

- User Acceptance Testing Begins
- DHS contractor to implement P-EBT program changes.
- DHS contractor to inform FIS of the issuance schedule and expected number of records and benefit amount.
- Public awareness campaign commences.

- Week of August 21, 2023

- User Acceptance Testing Completed
- Approval of the FIS Customer Authorization.

- Week of August 28, 2023

- Issue P-EBT Summer 2023 benefits for SNAP and Non-SNAP school children
- File transfer to the EBT processor, FIS. Benefits will be available on the cards on the same day.
- Generate and mail notices.
- FIS to mail cards to the new students/recipients.

USVI will notify FNS of any changes to the final issuance schedule.

The draw/spend priority will be P-EBT first, then SNAP and DSNAP. USVI intends to follow the same distribution model utilized in the previous implementation of P-EBT. Current SNAP households will receive their P-EBT benefits on their SNAP EBT card. Previous non-SNAP P-EBT recipients will receive their P-EBT benefits on their unique P-EBT card. New non-SNAP P-EBT recipients will receive benefits on a newly issued P-EBT card mailed directly from the EBT vendor, FIS. USVI will continue to use FSPEBT code which was modified specifically for P EBT. VI will utilize the same expungement rules that are used for SNAP for PEBT.

Undeliverable cards will be returned to the SNAP Issuance offices on the islands of St. Croix and St. Thomas. Cards will be logged, and the student's name provided to the call center for customer service and outreach purposes.

Previous P-EBT recipients will not automatically receive a new card. Lost, damaged, or stolen cards can be replaced over the counter, by the EBT Technician once the parent/legal guardian is identified in the school file and presents an acceptable photo ID.

7. Customer Service

To complete Section 7, we encourage states to use language from their previously approved SY 22-23 plans, if applicable.

- How will the state resolve disputes or issuance errors (incorrect benefit amount, denied benefits, etc.)? Based on the large number of such inquiries received by USDA, the states, and EBT processors, USDA suggests a phone number (hotline) staffed by personnel empowered to research and address such cases.
- Please describe how the state will serve groups with potential access problems, for example: homeless children, foster children, children without social security numbers, children and caregivers with limited English proficiency, households without internet access, and people living with disabilities.
- Describe the state's public information campaign. That is, the information you will provide to the general public (i.e., **not directly** to P-EBT participants), and how you will provide that information (i.e., print or broadcast advertising, social media, mailers to the general population).
- Describe what information you will provide for households that do not want the P-EBT benefit that is directly issued to them. How to dispose of the card, etc.
- Describe the information you will provide **directly** to P-EBT participants (this is different than the information you provide to the general public), and how you will provide that information. For example:
 - What will you provide to explain the purpose of P-EBT and how to use the benefit? Based on the large number and wide variety of public inquiries that USDA, states, and EBT processor call centers received regarding P-EBT in over the past year, USDA recommends it include:
 - A description of P-EBT

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

Response:

USVI will continue to utilize and publish the PEBT Territorial Number (340) 772-7120 to address customer concerns, provide information or to resolve disputes and issuance errors. Several personnel will be available to answer calls routed to this number and who will be empowered to research and address cases. Additionally, a specific email/inbox was created internally at DHS where clients may forward issues or disputes. A dedicated team will monitor this inbox and problem solve issues utilizing the records provided by the school districts. In instances where the employee is unable to locate a child in their records, the family will be referred to their respective schools where issues of eligibility can be more easily determined. Moreover, the DHS Commissioner will be a featured Presenter on Governor’s Press Briefing and will also host a Facebook Live to announce issuance of PEBT Card/EBT Card for SNAP recipients, PEBT Hotline, etc.

USVI will provide access for individuals who speak Haitian Creole and Spanish to report their concern. Based upon the issue reported, the USVI will refer the customer to a specific contact at VIDE or private school, to submit or resubmit updated information as part of the verification process.

USVI will conduct a public information campaign to alert those receiving benefits, and how it is to be used via press releases print and electronic media, radio, commercials, social media, Office of the Governor, VI Department of Human Services and Department of Education websites. Further, as part of the public information campaign, USVI will highlight the changes in the benefit level (\$139) as well as the removal of issuance of PEBT benefits for children in childcare and homeschooling on SNAP due to Consolidated Appropriations Act, 2023.

P-EBT recipients will receive information which will include:

- a. Description of P-EBT
- b. Explanation of benefit amount.
- c. Benefit expiration date
- d. Clarification that benefits are not transferrable and that households should destroy cards if they wish to decline the benefits.
- e. How to use the card and their benefits
- f. Replacement cards
- g. FIS customers services
- h. For non-SNAP P-EBT recipients, directions on how to PIN their card will be added.

8. Over-issuance of P-EBT benefits

To complete Section 8, we encourage states to use language from their previously approved SY 22-23 plans, if applicable.

States should outline a process to recover or adjust P-EBT payments to correct errors on previous issuances. States cannot simply apply their existing SNAP benefit claim process to P-EBT. Accordingly, states should develop P-EBT-specific rules and procedures and include those in their state plans. States must also consider the capability of their SNAP systems to distinguish P-EBT from SNAP benefits.

The process should take into consideration that many households received their benefits, without application, through an automated match process that relied on the state's own administrative data. Reclaiming benefits under those circumstances calls for a process that weighs the equity of the claim, the burden on affected households, and the likelihood and costs of recovery. Given those considerations, a state's P-EBT plan should consider reasonable thresholds for taking action to recover over-issued benefits. states that establish a process for benefit recovery must provide clear notice to beneficiaries of the circumstances under which the state may attempt to recover benefits or reduce a future issuance. Under no circumstances may the state reduce a SNAP benefit to settle a P-EBT claim.

Finally, the states recognize that USDA is responsible for ensuring accountability of funds for P-EBT purposes. As part of its oversight responsibilities, USDA may hold state agencies liable for aggregate over-issuances or improper payments. USDA's course of action is to pursue P-EBT over-issuance claims in the aggregate where USDA believes such action is merited, based on the nature of the error that gave rise to the over-issuance, the size of the error, and whether such action would advance program purposes.

Please describe how your state will manage P-EBT payment errors.

Response:

USVI confirms expectations regarding benefit over issuances. USVI will not reclaim any PEBT benefits by reducing a household's SNAP benefit. It is important to note however when it is deemed appropriate USVI may attempt to recover mistakenly issued benefits. Prior to

attempting to reclaim benefits, FNS will be contacted. USVI will research any cases or inquiries that are brought to our attention where perhaps custody recently changed or guardian or custodial parent status changes. If the benefit has already been spent, then no further action will be taken. If the eligible child has not received the benefit, a P-EBT card will be reissued for the student. Households will be given clear information that if guardian or custodial information changes, they are responsible for returning the card to the agency. Failure to do so could result in formal action to recoup benefits. Further, USVI confirms that whenever issuance errors are identified, contact will be made to FNS. Information such as a description of the error, the number of children involved, and the value of the over-issuance will be included in the notification before a corrected benefit is issued to a different household.

9. Benefit Issuance Reporting

USVI 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. Further, USVI commits to filling out the over-issuance spreadsheet that USDA provided to state agencies. This spread sheet requests that states document the size of the overpayment, the number of children affected, the reason for error, and a through explanation of the corrective action that the state will take or has taken to prevent a recurrence of the error.

10. Administrative Funding

A separate grant to cover state level administrative costs associated with the administration of P-EBT will be awarded to the SNAP state agency within each state. As the authorized grantee, the SNAP state agency will be granted access to the associated letter-of-credit in which the administrative grant funds will be placed. As P-EBT related state administrative costs may be incurred by state agencies other than the SNAP state agency, the SNAP state agency will be responsible for entering into interagency agreements in the form of a Memorandum of Understanding, or document of similar construct, with all other respective state agencies responsible for delivering P-EBT benefits. The SNAP state agency will be responsible for reimbursing the administrative costs of all associated agencies accordingly.

Prior to USDA releasing the grant for administrative funding, each SNAP state agency will be required to submit a P-EBT Budget Plan using the FNS-366(a) Program and Budget Summary Statement. Funds will not be released to the SNAP state agency's letter-of-credit until this plan is submitted and approved. The SNAP state agency's Budget Plan should include the estimated administrative costs for all state agencies that will be handling P-EBT.

As noted in Item 10 above, the SNAP state agency will be also responsible for reporting all administrative expenditures on a separate FNS-778, Supplemental Nutrition Assistance Program, Federal Financial Report designated specifically for P-EBT. The expenditures on the FNS-778 should align with those outlined in the FNS-366(a), Program and Budget Summary Statement. The forms associated with P-EBT will be modified accordingly.

11. Release of Information

Per Section 1101(e) of the Families First Coronavirus Response Act: “Notwithstanding any other provision of law, the Secretary of Agriculture may authorize state educational agencies and school food authorities administering a school lunch program under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) to release to appropriate officials administering the supplemental nutrition assistance program such information as may be necessary to carry out this section.”

12. Civil Rights Statement

USVI 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 English proficient and provide equal access to individuals with disabilities.

13. Administration of State P-EBT Plan

USVI will administer P-EBT according to the terms of its approved state plan. In general, conditions related to benefit issuance reporting, administrative funding, and release of information remain in effect for the covered summer period. If the state wishes to change any of the terms of its plan, the state shall first notify USDA and will, if requested by USDA, submit a plan amendment for USDA review and approval.

Reminder

If the state needs to make any significant changes to its Summer 2023 plan after approval, the state needs to submit an amendment to USDA that describes the change and its impact on operating summer P-EBT. USDA will review the amendment and approve allowable amendments.

Signatures and Titles of Requesting SNAP and Child Nutrition State Agency Officials:

Signature
Natalie L. Bailey, Administrator

Signature
Kimberley Causey Gomez, Commissioner

Date of Request: _____