



Food and Nutrition
Service

1320 Braddock Place
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March 30, 2023

SUBJECT: Pandemic Electronic Benefits Transfer Program (P-EBT)
Approval of West Virginia's State Plan for Summer 2023

TO: Dr. Patty Bennett
Regional Administrator
Mid-Atlantic Regional Office

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

Pursuant to the authority granted under Section 1101 of the Act, FNS approves West Virginia's enclosed plan to issue P-EBT benefits to children in schools for summer 2023.

Summary of State's Plan

The West Virginia Department of Health and Human Resources and the West Virginia Department of Education will issue P-EBT benefits through the state's Supplemental Nutrition Assistance Program (SNAP) EBT card system to households with eligible children. In general, school children are eligible for benefits if they would have received free or reduced price meals at their schools through the National School Lunch Program (NSLP) if not for the closure or reduced attendance or hours of their schools. The ARP deems all schools closed for the 2023 P-EBT covered summer period.

The state and its school districts will identify the children who were eligible to receive free or reduced price NSLP meals as of the end of school year 2022-2023. The state will offer households who become income-eligible for free or reduced price meals the ability to establish their eligibility through the end of school year 2022-2023. In addition, the state and its school districts will identify eligible children through direct certification during the same period.

In addition, West Virginia will:

- issue the U.S. standard benefit of \$120 to all eligible children,
- tentatively issue a single benefit for the entire summer period in June 2023,
- set an application submission deadline of May 15, 2023, for households of children who become newly eligible during the covered summer period:
 - West Virginia will publicize this deadline and other new changes for Summer P-EBT 2023 on their website and in public information campaigns,

- West Virginia School Food Authorities (SFAs) will use their standard NSLP applications for summer P-EBT benefits,
- West Virginia SFAs will process these applications in time for the state's proposed June issuance,
- Tentatively issue benefits to all children in June,
- Tentatively issue makeup payments to eligible students who were not issued benefits in June in early September 2023,
- ensure benefits are issued prior to the September 30, 2023, deadline (end of the fiscal year).

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

Estimated Caseload and Value of P-EBT Benefits

West Virginia estimates that it will issue \$27.7 million to approximately 231,000 school children during the 2023 covered summer period.

Release of Information

Pursuant to Section 1101(e) of the Act, the Secretary hereby authorizes the release of the information necessary to carry out P-EBT in West Virginia. Section 1101(e) of the Act states, "Notwithstanding any other provision of law, the Secretary of Agriculture may authorize state educational agencies and school food authorities administering a school lunch program under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) to release to appropriate officials administering the supplemental nutrition assistance program such information as may be necessary to carry out this section."

Plan Timetable and Revisions

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

Civil Rights

West Virginia 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.

Administrative Funds

The West Virginia Department of Health and Human Resources will participate in a P-EBT Administrative Budget Planning process using the FNS-366(a) Program and

Budget Summary. When the FNS-366(a) is finalized, that will determine the state's Administrative Grant level. However, the FNS-366(a), Program and Budget Summary, may be updated and revised as the state's operational plan evolves.

Reporting

The West Virginia Department of Health and Human Resources will complete the FNS-292B, the FNS-46, the FNS-388, and the FNS-778 reports in accordance with existing requirements.

FNS values West Virginia's partnership in the administration of Pandemic EBT. FNS stands ready to provide additional support as needed. If you have questions, please contact the FNS Mid-Atlantic Regional Office.

Sincerely,

Cindy Long
Administrator