



Food and Nutrition  
Service

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July 8, 2022

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

**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 (the ARP, P.L. 117-2) extends P-EBT through the end of the public health emergency, a period that includes the summer of 2022.

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

### **Summary of State's Plan**

The 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. Children in child care are eligible if they are enrolled in SNAP and their child care facility is closed or operating with reduced attendance or hours, or if they live in the area of a school that is closed or operating with reduced attendance or hours. The ARP deems all schools closed for the 2022 P-EBT covered summer period.

### **Children in Schools**

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

In addition, West Virginia will:

- issue the U.S. standard benefit of \$391 to all eligible children,
- tentatively issue a single benefit for the entire summer period in August for children determined eligible by that date,

- set an application submission deadline of July 31, 2022 for households of children who become newly eligible during the covered summer period:
  - West Virginia school districts will use their standard NSLP applications for summer P-EBT benefits,
  - school districts will process these applications on receipt or immediately after the end of the covered summer period,
  - the State will issue summer P-EBT benefits to these households upon approval of their applications in a cleanup issuance on September 26.

### **Children in Child Care**

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

In addition, West Virginia will:

- issue the U.S. standard benefit of \$391 to all eligible children:
- issue P-EBT benefits for the full covered summer period to children whose SNAP enrollment begins or ends during that period,
- issue P-EBT summer benefits to children who were under age 6 and not enrolled in school at the start of school year 2021-2022, but who reached their 6<sup>th</sup> birthday since the start of the school year and remain enrolled in SNAP during the summer,
- tentatively issue a single benefit for the entire summer period in August.

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 \$86.0 million to approximately 220,000 school children during the 2022 covered summer period. West Virginia estimates that it will issue \$13.8 million to approximately 35,300 SNAP-enrolled children in child care assuming the PHE continues through the end of the summer.

### **Release of Information**

Pursuant to Section 1101(e) of the Act, the Secretary hereby authorizes the release of the information necessary to carry out P-EBT in 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, to include providing equal access to individuals with disabilities and individuals who are limited English proficient.

**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 appreciates West Virginia’s commitment to meet the nutritional needs of children during a challenging time. If you have questions, please contact the FNS Mid-Atlantic Regional Office.

Sincerely,

Cindy Long  
Administrator