United States Department of Agriculture

Food and Nutrition Service

3101 Park Center Drive

Alexandria, VA 22302-1500

SUBJECT: Guidance on Pandemic Supplemental Nutrition Assistance Program Benefits for Children Certified Eligible to Receive Free and Reduced Price School Lunch Benefits during School Closure

TO: Regional Administrators
All Regions

This memorandum contains information about new authority contained in the Agriculture, Rural Development, Food and Drug Administration and Related Agencies Appropriations Act, 2010, (Public Law 111-80, Appropriations Act) to provide nutrition assistance to school lunch recipients during a pandemic flu. Section 746 of the Appropriations Act authorizes the Secretary of Agriculture to approve State SNAP agency plans to provide Supplemental Nutrition Assistance Program (SNAP) benefits to households with children who have temporarily lost access to free or reduced price school lunches due to pandemic-related school closures. Food and Nutrition Service (FNS) will refer to these benefits as P-SNAP.

Provision of P-SNAP benefits to children certified eligible to receive free or reduced price school lunch benefits is a State option and is *not* an entitlement. The State SNAP agency may choose when and where to operate based on their assessment of local need and capability. FNS can authorize State SNAP agencies to deliver P-SNAP benefits when a pandemic emergency designation from the Secretary of Health and Human Services (HHS) or the Secretary of the Department of Homeland Security (DHS) is in effect, when schools or entire school districts have been or will be closed at least 5 consecutive days, and when FNS has approved the State SNAP agency's plan of operation for certifying and issuing these benefits. This authority is available only during Federal Fiscal Year 2010. Please note that the entire United States is under a pandemic emergency designation as of April 26, 2009.

The attached guidance document contains information for State SNAP agencies concerning required contents of a plan of operation, certification and issuance options, allotment levels, notification of eligible households, State SNAP agency reporting, and funding. For information provided to State Education agencies on this subject and for complete inventory of FNS guidance on program delivery during a pandemic emergency designation, please see http://www.fns.usda.gov/disasters/pandemic/default.htm.

If you have any questions, please contact Melissa Daigle Katz at Melissa.DaigleKatz@fns.usda.gov or 415-705-1323, ext. 304.

Jessica Shahin
Associate Administrator
Supplemental Nutrition Assistance Program

Attachment

Supplemental Nutrition Assistance Program Benefits for Children Certified Eligible to Receive Free and Reduced Price School Lunches During School Closure due to Pandemic Flu

Guidance for State Agencies

Overview

Section 746 of the Agriculture, Rural Development, Food and Drug Administration and Related Agencies Appropriations Act, 2010, (Public Law 111-80, Appropriations Act) authorizes the Secretary of Agriculture to approve State SNAP agency plans to provide Supplemental Nutrition Assistance Program (SNAP) benefits to children certified eligible to receive free or reduced price school meals who have temporarily lost access to those meals due to pandemic-related school closures. The Appropriations Act made this authority available only for Fiscal Year 2010, from October 1, 2009 to September 30, 2010, and only during a pandemic emergency designation. For the complete text of Section 746 of Public Law 111-80, please see http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=111_cong_bills&docid=f:h2997enr.txt.pdf. Food and Nutrition Service (FNS) will refer to benefits under this authority as P-SNAP.

Eligibility

Households are eligible for P-SNAP when:

- The household includes a child(ren) certified eligible to receive free or reduced price school lunches; and
- The child's school or entire school district will be or has been closed due to the pandemic flu for at least 5 consecutive days; and
- The State SNAP agency has requested and received approval of a plan from FNS to operate P-SNAP (see *Obtaining Approval to Operate* on page 4 for more information).

Certification

FNS understands that identifying and certifying eligible children will be challenging for State SNAP agencies. The State SNAP agency may design certification procedures that eliminate the need for eligible households to submit an application, attend an interview, provide verification, submit periodic reports, or perform any other actions normally required for SNAP certification, as none of these actions is necessary for accurate and timely certification for P-SNAP. A State SNAP agency with an approved P-SNAP plan may:

- Deliver benefits on a new EBT card to all households with children certified eligible to receive free or reduced price school lunches *whether or not they are currently participating in SNAP*.
    - State SNAP agencies shall obtain the minimum information on eligible children necessary to carry out the plan (name of head of

household, number of eligible children, and address of household) from the State or local Education agency and create a *new* certification or issuance file for each household containing an eligible child(ren); and
    - Issue a *new* EBT card to each eligible household, even if a household already has an EBT card due to ongoing SNAP participation.
- Deliver benefits on *existing* EBT cards only to children who are certified for free or reduced price lunches *and are already enrolled in SNAP*.
    - State SNAP agencies should obtain specific information about eligible children (name of head of household, names of eligible children, and address of household) from State or local Education agencies; and
    - Perform a match to identify which of those children included in households already participating in SNAP; and
    - Issue benefits to the *existing* EBT account of all SNAP households containing children who are certified as eligible to receive free or reduced price school lunches.

Some combination of these options, as long as the State SNAP agency can ensure that they can prevent duplicate issuance of SNAP benefits. State SNAP agencies that intend to use more than one delivery method must detail in their plan of operation how they will prevent duplicate issuance.

Allotments

The allotment amount must be equal to the value of the lunch multiplied by the number of lunches that will be missed during school closure. The value of the lunch must be equal to the Federal reimbursement rate for the lunch at the free rate. In no case can a State SNAP agency alter allotment amounts based on a household's participation or non-participation in SNAP. State SNAP agencies may issue:

- Weekly allotments of $14.50 per child when schools will be or have been closed for at least 5 consecutive days. The State SNAP agency may choose to continue to provide weekly allotments after each additional week of school closure. If after the initial week of closure a school remains closed for less than an additional 5 days, the State SNAP agency may choose to provide an additional allotment for the exact number of additional days the school is closed or to provide an additional full weekly allotment, if that is administratively most efficient; or
- Biweekly allotments of $29 per child when schools will be or have been closed for at least 5 consecutive days and are expected to remain closed for at least two weeks. The State SNAP agency may choose to continue to provide biweekly allotments after each additional two week closure. If after the initial two week closure a school remains closed for less than an additional two weeks, the school may choose to provide an additional allotment for the exact number of additional days the school is closed or to

provide an additional full weekly (but not bi-weekly) allotment, if that is administratively most efficient.

Issuance

P-SNAP benefits shall be delivered via EBT and restricted to food purchases if EBT capability continues to be available during the pandemic flu. If EBT capability is not available, the State SNAP agency should issue benefits using any alternative technology or instrument also being used to deliver regular SNAP benefits at that time.

The State SNAP agency is strongly encouraged to begin to issue benefits to eligible households within 10 days of the first day of school closure, but must begin issuing benefits no later than 45 days after the first day of school closure. In some situations, the benefit may enable replenishment of family food supplies, but a more immediate response is preferable.

Notification of Eligible Households

State SNAP agencies must issue a written notice to certified households describing the reason for the P-SNAP benefit, the amount of the benefit, how the benefit is to be used, and fairing hearing rights and procedures.

FNS encourages State SNAP and Education agencies to conduct outreach to the eligible public about P-SNAP. FNS suggests that such outreach should address how households can get help if they did not receive benefits as expected.

Reporting Requirements

State SNAP agencies that have implemented an approved P-SNAP plan shall provide weekly reports to their FNS Regional Office of the number of eligible children receiving P-SNAP benefits across the State. This data may be submitted to FNS in an email message. In no case may the State SNAP agency transmit to FNS data files that contain the personally identifiable information of eligible households or children.

Obtaining Authority to Operate

To receive approval to issue P-SNAP benefits to eligible children, the State SNAP agency must submit a brief plan of operation addressing P-SNAP delivery. FNS encourages State SNAP agencies to submit their plan to their FNS Regional Office prior to school closures to ensure agencies are prepared to issue benefits as quickly as possible once children become eligible for P-SNAP benefits. The plan of operation must include at least the following:

- The specific pandemic emergency designation that provides the basis for P-SNAP operation. The pandemic declaration may originate from the Secretary of HHS or from the Secretary of DHS. The entire United States is currently under a pandemic emergency designation from the Secretary of HHS that is extended periodically. State SNAP agencies can monitor the status of the current pandemic emergency declaration at www.flu.gov/professional/federal/index.html; and

- A description of the population that will receive P-SNAP, certification methods, allotment levels, frequency of issuance, and benefit issuance procedures. The plan only must list specific schools or entire school districts to deliver P-SNAP if procedures will vary by school or school district. In that case, the plan should describe the specific procedures to be employed in each area; and
- A commitment to report the number of children certified for P-SNAP to FNS on a weekly basis, beginning the first week of operation.

FNS Regional Offices will perform an initial review of each plan of operation and forward it to the FNS Program Development Division with their recommendations for action. If the plan of operation is approvable, the Associate Administrator for SNAP FNS National Office will transmit to the FNS Regional Office a memorandum conferring approval. The memorandum will then be transmitted to the State SNAP agency. If the plan of operation cannot be approved, FNS National Office will transmit to the FNS Regional Office a memorandum describing the plan's deficits and amendments that must be made before approval is possible. The FNS Regional Office will then work with the State SNAP agency to make needed amendments to the plan of operation to enable approval.

After the receipt of FNS written approval, the State SNAP agency may begin issuance of P-SNAP benefits to households with eligible children normally attending schools that will be or have been closed for at least 5 consecutive days due to the pandemic. Issuance may begin no sooner than the first day of closure. Before implementing issuance, the State SNAP agency must obtain assurance from the involved schools that they are committed to being closed for at least 5 consecutive days due to the pandemic. The State SNAP agency may expand implementation of issuance to additional schools or entire school districts as they become qualified to participate without any additional approval from FNS.

All approvals will expire on September 30, 2010 or when the pandemic emergency designation upon which the approval is based expires or is withdrawn. The State SNAP agency must cease issuance by the date that a pandemic emergency designation is no longer in effect, even if school closures continue beyond that date.

Funding

As with SNAP, the Federal reimbursement rate is 50 percent of the State SNAP agency's allowable administrative costs. FNS will continue to pay 100 percent of the cost of benefits issued to recipients.