

**State Plan for Pandemic EBT  
Summer 2023  
February 16, 2023**

<b>Issuing Agency/Office:</b>	FNS / Child Nutrition Programs, Supplemental Nutrition Assistance Program
<b>Title of Document:</b>	State Plan for Pandemic EBT: Summer 2023
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<b>Replaces:</b>	N/A
<b>Summary:</b>	(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 childcare 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).
<b>Disclaimer:</b>	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-p-ebt>***

*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<sup>1</sup>  
February 16, 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: West Virginia**

**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.<sup>2</sup> (Consult the appropriate table in Section 4, "Benefit Levels.")  
**\$27,692,760**
- b. Estimated total number of school children to which the state will issue P-EBT benefits.  
**230,773**
- 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.  
**6/12/2023**
- d. Names of state agencies involved in administering this plan.  
**WV Department of Health and Human Resources (DHHR); SNAP Administration  
WV Department of Education (WVDE); State Child Nutrition Agency**

<sup>1</sup> Changes to the Summer P-EBT program contained in the Consolidated Appropriations Act, 2023 are highlighted in yellow throughout this document.

<sup>2</sup> 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 childcare in 2023.

West Virginia is committed to informing USDA of any significant increase or decrease in these data points during the summer period covered by this initial plan

#### 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:
  - 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:

All West Virginia public county boards of education operate the Community Eligibility Provision. Of the 55 West Virginia County boards of education, 50 are fully CEP, and 5 are partially CEP. The 5 counties that are partially CEP are Berkeley, Jefferson, Monongalia, Raleigh, and Putnam Counties. For these 5 counties that are not fully CEP, the State will utilize direct certification based upon receipt of applicable benefits (such as SNAP) as well as free/reduced price application data.

New to the West Virginia public school system in 2022-23 are both brick-and-mortar charter and virtual charter schools. Currently, at the time of plan submission, West Virginia has 1 NSLP-participating charter school – with an approximate percent need of 39% of students, and 2 public virtual charter schools with upwards of a 50% identified need (based upon Title I) status.

The State will utilize NSLP free/reduced price meal applications to certify students who are income eligible. For Summer 2023, students will only receive benefits if the household submitted a new application for the current school year (if the student is not attending a CEP school or not already directly certified).

Additionally, West Virginia will provide communication to guardians that eligibility for P-EBT is possible through the free/reduced price meal application process, if approved. This information will be made available on the State's P-EBT and EBT web sites, as well as distribution through local school communication channels. West Virginia is unable to take NSLP applications to establish P-EBT eligibility after the end of SY22-23, due to insufficient staffing at WVDE during the summer covered period. Households will be encouraged to establish eligibility for Summer P-EBT by May 15, 2023.

**Individual Student Eligibility:** WVDE's PrimeroEdge software captures student eligibility information based upon individual status or enrollment in a CEP school. PrimeroEdge captures free/reduced status in real time for all students participating in the NSLP. The State will be able to identify SNAP and non-SNAP students, for participating public and private schools. West Virginia conducts direct certification (DC) matching at a more frequent interval than what is required by federal regulations. West Virginia conducts DC-matching at weekly intervals for SNAP, TANF and Medicaid. Foster students are matched at monthly intervals.

**Individual Student Enrollment:** WVDE's WVEIS system captures enrollment information for WV's public-school students. Only students who are enrolled during SY 2022-2023 and have active enrollment records in WVEIS. This includes kindergarten students. Students that have graduated or are inactive in WVEIS after the end of each school year will not be included in the student P-EBT eligibility file. WVEIS data batches nightly. Any changes in student enrollment for any student newly enrolled or withdrawn is captured daily.

**Individual Student Household Contact/Mailing Information:** WVEIS captures contact/ mailing information for all students (regardless of learning model) enrolled in public schools. Students who attend private schools may have their contact information maintained in the statewide student eligibility system – or at the school level. In cases where eligibility information is maintained at the school level, WVDE will work with these private schools to obtain required information in a secure method.

**Individual Student Learning Model:** For SY2022-2023, the predominant learning model for West Virginia schools is in-person learning. County boards of education and other public-school entities can access a virtual platform (WV E-Learns). This was designed for utilization of credit course recovery or provide additional elective courses for in-person learners prior to the COVID-19 pandemic. The State offers this virtual platform to any public school system that elects to use it within West Virginia. If a public school system elects to use virtual school in response to COVID-19, the entity (typically, the county board of education) will provide their own content and teachers and create their own individual virtual school.

\*Only students who attended an NSLP school during SY22-23 will receive Summer P-EBT.

## 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

West Virginia will issue the Contiguous U.S. standard Summer P-EBT benefit (\$120) to all eligible students who previously attended an NSLP participating school during SY22-23.

P-EBT benefits are issued in the name of the student and provided to the guardian on behalf of the student. The student's guardian is the first person on the school enrollment form for the current school year. WVDE will not dispute guardianship for Summer P-EBT once the benefit is issued.

## 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:**

#### West Virginia Summer 2023 P-EBT Implementation Timeline

- Day 0 – Receive P-EBT plan approval from FNS
- Day 2 – Governor/media statewide announcement
- Day 3 – Update information on P-EBT website
- Day 4 – 30 – Begin local and social media campaign that will continue through Summer P-EBT issuance until 9/30/23
- Day 7 – P-EBT information disseminated to eligibility staff
- Day 8 – Provide guidance and training to P-EBT call center
- Day 10 – Upcoming schedule guidance released
- Day 12 – P-EBT call center goes live with summer information
- Day 50 – WVDE sends eligible student file to Optum for processing
- Day 65 – Optum sends summer file for students to FIS (EBT processor)
- Day 75 – Summer P-EBT availability date for students
- Day 80 – 90 – WVDE collects information for eligible students who were skipped during initial Summer P-EBT issuance
- Day 130 – Summer P-EBT makeup payments issued to students who were not issued Summer P-EBT in June 2023
- Day 160 – Close out P-EBT for FY22-23 and complete federal reporting

West Virginia will issue P-EBT on the existing WV P-EBT white generic card in the existing case that was utilized for the previous P-EBT program period. P-EBT for both SNAP and non-SNAP households will be issued to the P-EBT card. Each child will receive P-EBT

benefits on their own P-EBT card; the state will not attempt to lump siblings or those who reside in the same household onto a single card. 1 child = 1 card. The state will only issue new P-EBT cards to children who have never received a P-EBT card (children completely new to WV P-EBT).

P-EBT will be issued outside the eligibility system. It will be separated from SNAP and D-SNAP. West Virginia will be able to distinguish the total amount of children and P-EBT benefits issued through a separate sub-category.

West Virginia's draw/spend priority is P-EBT, D-SNAP and SNAP in that order. The state currently expunges SNAP 274-days following issuance of the benefit. The state practices first in, first out. The oldest unused SNAP benefit is removed first. WV will expunge unused P-EBT based on current SNAP rules. The state will continue to provide guidance to the public about spending P-EBT benefits in a timely manner.

The state will replace P-EBT cards, due to an incorrect address, at the request of the guardian on the P-EBT issuance file for SY2022-2023. Any household with an incorrect address will need to contact the Office of EBT to request a replacement card. WVDE has maintained consistent correspondence with public school districts about the importance of ensuring accurate information is entered into WVEIS. This ongoing communication and correspondence will continue throughout the duration of P-EBT implementation.

West Virginia has provided the public and families of previous P-EBT recipients with consistent information informing them to keep the P-EBT card. If existing cards have been lost, the Office of EBT will replace these cards at the request of the guardian (after each situation has been vetted and verified using unique demographic data). The P-EBT benefit itself cannot be replaced.

When a child in WV Foster care moves residencies, their DHHR Social Services worker must inform Family Assistance and Office of EBT that a guardianship change has occurred. DHHR will work to ensure all children who are eligible to P-EBT have access to P-EBT.

## **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:**

**Disputes/Corrections**

Guardians seeking to dispute student benefit amounts will be directed to contact the P-EBT call center. The only dispute that will be considered for Summer P-EBT is if an eligible student was skipped during benefit issuance. WVDE will determine if disputes are valid and if students were skipped. These children will be sent on a separate file to DHHR and issued makeup benefits in September 2023. All students will receive an eligibility letter for Summer P-EBT.

P-EBT benefits for students will be issued to the guardian on file with the school system at the time of the data pull at the end of SY2022-2023. The State will not attempt to dispute



guardianship in a joint custody situation. Parents must decide who will receive the benefit on behalf of the child. The State will not open guardian disputes for these situations. Changes of custodial guardianship due to foster placement/kinship care will be handled by DHHR. When a child has changed placement, the Office of EBT will be notified and a replacement card will be mailed to the verified guardian.

**Deadline to Open a Dispute:** West Virginia will establish a deadline to open a benefit dispute. After the dispute period closes the State will no longer consider these claims to be legitimate. August 2023 will be the State's dispute collection month. August 31, 2023, is the benefit dispute deadline (last day to submit a benefit dispute for under issued P-EBT benefits). The State will maintain dispute log records for a 3-year period.

### Serving Groups with Potential Access Issues

- **Homeless Students:** WVDE will communicate P-EBT guidance with schools, and in particular make information available to each Homeless Services Liaison within public school systems.
- **Foster students:** Students in foster placement will be served in the same manner as non-foster students. WVDE data will be utilized to issue benefits for foster students. The DHHR Social Service worker will inform Family Assistance/Office of EBT when a child has changed residency. DHHR will work to ensure the current guardian receives the P-EBT benefit on behalf of the child in foster care.
- **Lack of Social Security Number:** West Virginia's Summer P-EBT plan will not require social security numbers for benefit issuance. Each student has a WVEIS number that is not affiliated with private social security numbers. The WVEIS number will be utilized for verification when guardians contact the P-EBT call center.
- **Households with Limited English Proficiency:** 95% of West Virginia residents speak English as the predominant language. For the 5% of residents who are considered limited English proficiency, DHHR will utilize the agency's interpreter service that is regularly used for other DHHR benefits. Also, household notification will be available in Spanish upon request.
- **Households without Internet Access:** Program information will be made available to local schools in the form of paper and robo calls to guardians. DHHR will provide county office notification through the use of paper flyers. All benefit determination notification will be sent to the household in the form of a mass mailing.
- **Individuals with Disabilities:** The state is bound by Americans with Disability Act (ADA) compliance. Both DHHR offices and local schools are wheelchair and handicap accessible. The state will provide ANY reasonable accommodation for individuals living with a disability. DHHR employs a statewide ADA Coordinator tasked with keeping the agency compliant and properly serving the general public.

### West Virginia's Public Information Campaign

West Virginia will have a robust communication strategy-which includes keeping a main web site through the WVDE updated and current with relevant information. Both WVDE and DHHR will work together to compile press release information and social media posts. County boards of education will receive information and suggested content to share with student communities through regular communication channels (social media, robo-calls, text messages, apps. etc.).

Households who choose to not accept the P-EBT benefit will be instructed to destroy the P-EBT card. P-EBT will be expunged 274-days after issuance. Information for P-EBT will be provided to both SNAP and non-SNAP households in the same manner as stated below in the public information campaign.

- **P-EBT statewide website ([wvde.us/pebt](http://wvde.us/pebt))** WVDE maintains a statewide P-EBT web site that is regularly updated with public information. For the summer program period, information will be provided that explains and connects CEP counties/schools, private schools who participate in the NSLP with general program information. Important P-EBT program information will be regularly updated on this website.
- **Information provided to schools/guardians:** WVDE will leverage existing communication channels, via county school systems and dedicated social media pages to conduct outreach to ensure messaging for P-EBT is effective for all families.
- **WVDE P-EBT dedicated email ([wvpebt@k12.wv.us](mailto:wvpebt@k12.wv.us)):** This email address is monitored by several staff members. Automatic response messages are provided with important information and updated regularly. Emails are monitored and timely responses are given to those who submit email questions and inquiries.
- **P-EBT call center:** DHHR continues to utilize emergency procurement procedures to secure a sole source vendor to assist households. FIS will provide the initial layer of triage for all program information, including eligibility criteria and issuance/availability dates. The call center will also provide case numbers for P-EBT card activation by utilizing the WVEIS number as the standard for verification. Call center agents and supervisors will complete confidentiality and FERPA training required by WVDE.
- **Office of EBT contact:** DHHR's Office of EBT service contact information will include the EBT main office line (304-558-4126) and EBT inbox ([dhhrwvebt@wv.gov](mailto:dhhrwvebt@wv.gov)). The Office of EBT will be available for questions regarding relevant information about the benefit issuance process. EBT will also replace P-EBT cards upon verified guardian requests. Additionally, the Office of EBT website will include update to date, relevant P-EBT information and links to additional WV P-EBT resources.
- **Information provided to DHHR county offices:** DHHR SNAP Policy will provide guidance to eligibility staff regarding touch points for P-EBT. Eligibility staff will redirect families seeking to dispute skipped benefits to the P-EBT call center.

All public communication strategies listed in this plan will also serve as a basis for communication with households of eligible students. Additionally, a letter of instruction will accompany any new or replacement cards explaining the terms, conditions, and other pertinent information with recipient households. The following information will be provided specifically to P-EBT households:

- A description of P-EBT and criteria for eligibility
- 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 noneligible items)
- Explanation of violations and penalties, such as trafficking
- An indication that benefits are non-transferable
- Instructions for destroying the card if households want to decline benefits
- Information regarding the P-EBT call center and the P-EBT website that households can reach out to if they have questions or need assistance
- How to request a new P-EBT card if one is lost or stolen
- Information about how to file a dispute
- ADA and Civil Rights information

## 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:**

The West Virginia Office of Inspector General has been given the authority to pursue recoupment from individual families who have been issued benefits they were not entitled to receive and/or used benefits outside the scope of their intended purpose. As required, the Office of Inspector General will review any alleged improper payments issued and/or used, then report back to FNS if an overpayment has occurred.

The SNAP agency and eligibility system management team are working together to identify any improper payments issued. The Office of Inspector General (OIG) have been involved in the planning and implementation of this plan and will work to minimize any improper payments.

## **9. 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.

West Virginia agrees to complete the FNS-292, FNS-46, FNS-388, and FNS-788 reports in a timely and accurate manner.

## **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.

West Virginia acknowledges that a separate grant application is required to cover State-level administrative costs incurred during October 1, 2022, through September 30, 2023, associated with implementation of P-EBT. West Virginia also understands to receive a grant for administrative costs it must submit a budget plan using FNS-366(a). DHHR and WVDE will work together to determine what administrative funding is necessary to fully implement this plan.

## **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.”

West Virginia agrees to comply appropriately with release of information to FNS.

## **12. 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.

The State will continue to comply with civil rights requirements by not discriminating on the grounds 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.

## **13. Administration of State P-EBT Plan**

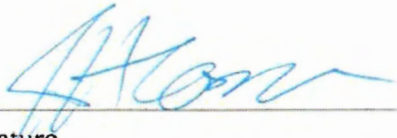
The state will administer P-EBT according to the terms of its approved state plan. In general, conditions related to benefit issuance reporting, administrative funding, and release of information remain in effect for the covered summer period. If the state wishes to change any of the terms of its plan,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

West Virginia agrees to administer P-EBT according to the terms of its approved State plan. If there are any significant changes – such as benefit issuances, the SNAP agency will inform its regional FNS office.

## **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

Dr. Jeffrey H. Coben, Interim Cabinet Secretary, DHHR



Signature

David L. Roach, Superintendent, WVDE

**Date of Request:**

3/9/23