

Requesting a waiver in the POM

FNS has completed review of the Washington 2024 Plan for Operations and Management (POM). FNS has determined that Washington must submit a request seeking waiver approval in order to administer the Summer EBT as planned. FNS has authority to waive regulatory provisions for Summer EBT, when certain conditions are met, consistent with Section 12(l) of the Richard B. Russell National School Lunch Act, 42 U.S.C. 1760(l). For more information on the process for requesting waivers, please refer to, [May 24, 2018](#).

In order to review and determine if requested waiver(s) may be approved, FNS requires provision of the following information, which may be added as an attachment to Washington's 2024 POM.

Waiver(s) needed (check all regulatory provisions that apply):		
<input checked="" type="checkbox"/>	7 CFR 292.12(f)(1)	<i>Income applications.</i> The Summer EBT agency must notify (or place notification in the mail) eligible households of a child's approved status within 15 operational days of receipt of a complete application.
<input checked="" type="checkbox"/>	7 CFR 292.12(g)	<i>Denied applications and the notice of denial.</i> The Summer EBT agency must provide written notice to each household denied benefits within 15 operational days of receipt of a complete application.
<input checked="" type="checkbox"/>	7 CFR 292.13(f)	<i>Timely certifications.</i> Summer EBT agencies must follow-up with a household that submits an incomplete application within 10 operational days of receipt of the application.
<input checked="" type="checkbox"/>	7 CFR 292.14(a)(1)(ii)	<i>Verification for cause.</i> Any verification must be completed within 30 days of receipt of the application.
<input type="checkbox"/>	7 CFR 292.15(c)(1)(i)(A)	<i>Benefit issuance.</i> For children who can be streamline certified or who have an approved Summer EBT application on file, benefits must be issued and available for participants to use 7-14 calendar days before the start of the summer operational period.
<input type="checkbox"/>	7 CFR 292.15(c)(1)(i)(B)	<i>Benefit issuance.</i> For eligible children who apply after the summer operational period begins, benefits must be issued and available to spend not later than 15 operational days after a complete application is received by the Summer EBT agency.
<input type="checkbox"/>	7 CFR 292.15(g)(4)	<i>Providing replacement EBT cards or PINs.</i> Replacement EBT cards must be available for pick up or placed in the mail within 2 business days following notice by the household that the card was lost, stolen or damaged.
<input type="checkbox"/>	7 CFR 292.26(a)(1)	<i>Hearing procedures for families and Summer EBT Agencies.</i> Fair hearing procedures established by the Summer EBT agency must allow a household to appeal within 90 days after the end of the summer operational period.

Describe the challenges the Summer EBT agency is seeking to solve with the requested waiver(s), including the goal of the requested waiver(s), the manner in which the requested waiver(s) will improve services in Summer EBT, and the expected outcomes if the waiver(s) are approved:

Washington state's Department of Social and Health Services (DSHS) is finalizing Data Share Agreements (DSAs) to with our partners at the Office of the Superintendent of Public Instruction (OSPI) to verify enrollment in SUN Bucks qualified schools for applicant families. We are also uploading final files from eleven remaining schools for automatic enrollment and benefit

issuance. 7 CFR 292.12 and 292.13 require that applicant families must be notified of eligibility within 15 days from the date of application, and that incomplete applications be acted on within 10 days. We are also developing a process for verification for cause for paper applications; our third-party vendor Accenture has safeguards in place preventing incomplete online applications. While we strive to meet these timelines, this waiver would provide a safety net ensuring we stay in compliance with federal regulations while we work to solidify the process seamlessly.

Describe steps the Summer EBT agency has taken to address barriers at the State level:

DSHS, our third-party contractor Accenture, LLP, and education partners at OSPI have developed an application process that becomes available to families effective July 1, 2024. We are also working with our EBT vendor, FIS, to plan issuance dates for final school uploads the first week of July 2024, and finalizing DSAs between agencies for a validation process for applicant families. This waiver protects in the event issuances are delayed for any reason.

Describe anticipated challenges the Summer EBT agency may face if the requested waivers are not approved:

If this waiver is not approved, and SUN Bucks issuance dates are not met, Washington DSHS will be out of compliance with federal regulations.

Describe the expected waiver implementation date and time period:

Implementation dates for this waiver will cover dates in which SUN Bucks benefits for the summer period following the 2023-2024 school year are authorized. June 1 – September 30, 2024.

Link to or provide a copy of the public notice informing the public about the proposed waiver(s):

This waiver request will be posted to the CNS webpage, under the waiver section. [Child Nutrition \(ospi.k12.wa.us\)](https://ospi.k12.wa.us)

Check to affirm that the waiver(s) will not increase the overall cost of the Summer EBT Program to the Federal Government. If there are anticipated increases, confirm that the costs will be paid from non-Federal funds:

Check to affirm that the Summer EBT agency will monitor and review implementation of the waiver(s) and report on implementation as part of their 2025 iPOM. Reporting will include: a description of whether the waiver(s) resulted in improved services to recipients/participants; a description of the impact of the waiver(s) on providing benefits to participants; and a description of how the waiver(s) reduced the quantity of paperwork necessary to administer the Program.