



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**

ROY COOPER • Governor

KODY H. KINSLEY • Secretary

YVONNE COPELAND • Director, Division of Child and Family Well
Being

January 11, 2023

Dear County Directors of Social Services

Attention: Food and Nutrition Services Income Maintenance Caseworkers, Administrators, Managers and Supervisors, Program Integrity Managers, Supervisors, and Investigators

Subject: Food and Nutrition Services (FNS) **Emergency Allotment Waiver Ending**

Priority: Information

I. GENERAL INFORMATION

On December 29, 2022, the Consolidated Appropriations Act, 2023 was signed into law. As a result, emergency allotments will be ending effective March 2023. February 2023 will be the final month for emergency allotments. General notices will be issued to households that have active FNS cases. A press release regarding the ending of Emergency Allotments will be posted to the NC Department of Health and Human Services (NC DHHS) website on January 12, 2023.

Emergency allotments benefits will no longer be issued, benefits will go back to regular monthly benefit amounts prior to the pandemic, starting March 2023. In addition, if updates were made retroactively to a household's case for February 2023 or prior, the FNS emergency allotment will be adjusted along with the normal monthly allotment, as appropriate. NC FAST will continue to run monthly catch-up batches for households to receive the correct emergency allotment amounts.

Attached are the recipient notices that will be sent to all active FNS recipients in both English and Spanish along with a document of the seven languages with information on how the notice can be translated. The recipient notices should be displayed in all areas of the agency viewable by the general public from the date received through April 30, 2023. All other documents attached should be displayed on the agency website.

HEARINGS

Households do not have the right to request a fair hearing solely to dispute the end of FNS emergency allotments, as states were instructed by the federal government to end emergency allotments. Disputes that are solely regarding the end of the emergency allotment will be denied and the State is not obligated to continue benefits at the previous level per federal regulation 7 CFR 271.1(f). However, households may request a fair hearing only if the issue being contested is that FNS eligibility or benefits were improperly computed or that Federal law

NC DEPARTMENT OF HEALTH AND HUMAN SERVICES • DIVISION OF SOCIAL SERVICES • ECONOMIC AND FAMILY SERVICES

LOCATION: 820 S. Boylan Avenue, McBryde Building, Raleigh, NC 27603
MAILING ADDRESS: 2416 Mail Service Center, Raleigh, NC 27699-2420
www.ncdhhs.gov • TEL: 919-527-6300 • FAX: 919-334-1265

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or regulation is being misapplied or misinterpreted by the State agency (federal regulation 7 CFR 273.15(k)(1)).

Households have the right to request a fair hearing 90 calendar days from March 1, 2023, to ask for a hearing. If the household does not ask for a hearing by May 30, 2022, the household cannot have one. Households can request a fair hearing by letting their local county department of social services know of the request. Hearings may be requested in person, by telephone, or in writing. The hearing may be requested by any member of the Food and Nutrition Services unit or by a representative, including an attorney obtained at the household's own expense.

RESOURCES

Please provide the following resources to help households that may need additional food assistance:

- North Carolina State Nutrition Action Coalition, www.ncdhhs.gov/foodresources,
- If you have children under 5 or are pregnant/breastfeeding, you may be eligible for WIC. Learn more about WIC (www.ncdhhs.gov/ncwic) and complete a WIC referral online (www.ncdhhs.gov/ncwicreferral),
- The Emergency Food Assistance Program (TEFAP) <https://www.fns.usda.gov/tefap/emergency-food-assistance-program> is a federal program that helps supplement the diets of low-income Americans by providing them with emergency food assistance at no cost,
- Visit www.nc211.org or dial 211 to be connected to community resources,
- List of the [local Food Banks](#), Helping Agencies, etc.,

FNS recipients can check their FNS/emergency allotment balance and transaction history three ways:

- Visit website www.ebtedge.com.
- Download and use the EBT Edge mobile app (can be downloaded on Google Play or Apple Store).
- Contact the North Carolina EBT Call Center at 1-888-622-7328 and follow the prompts.

If you have any questions, please submit them to the Continuous Quality Improvement Team (CQI) dss.policy.questions@dhhs.nc.gov.

Sincerely,



Madhu Vulimiri, MPP

Deputy Director
Division of Child and Family Well-Being

VM/vd

Attachment (4)

Frequently Asked Questions (FAQ)
Notice for Waivers Ended (English)
Notice for Waivers Ended (Spanish)
NC DHHS Multilanguage Notice – DSS-8567

EFS-FNSEP-04-2023