



April 17, 2024

United States Department of Agriculture
Food and Nutrition Service
Southeast Regional Office
61 Forsyth Street, SW, Room 8T26
Atlanta, GA 20202-3427

As authorized under section 12(l) of the Richard B. Russell National School Lunch Act, [42 U.S.C. 1760\(l\)](#), FNS may waive provisions of such Act or the Child Nutrition Act of 1966, as amended, and the provisions of this part with respect to a State or eligible service provider. The provisions of this part required by other statutes may not be waived under this authority. FNS may only approve requests for a waiver that are submitted by a State Summer EBT agency and comply with the requirements at section 12(l)(1) and the limitations at section 12(l)(4), including that FNS may not grant a waiver that increases Federal costs.

Please see the responses to the required waiver questions:

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 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 checked="" 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 checked="" 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:		
RESPONSE: North Carolina is facing several challenges that prevent the Summer EBT agency from completing critical implementation activities in time to meet program requirements. These challenges include:		
Existing systems in North Carolina do not support this activity and updates and/or new systems are needed.		



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

RESPONSE: North Carolina will take the following steps to successfully implement these waivers:

- NCDHHS and NCDPI meet on a regular basis to discuss implementation activities and timelines. If approved, we will continue this close collaboration throughout the implementation of this waiver.
- NCDHHS is working with our EBT processor to confirm that all activities can be completed by the revised deadline.
- NCDHHS will train staff on the alternative procedures, if the waiver is approved.

NCDHHS will monitor the implementation of the alternative procedures if the waiver is approved.

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

RESPONSE: North Carolina anticipates the following challenges if the requested waivers are not approved:

North Carolina will not be able to effectively issue benefits to all eligible children, and the Summer EBT agency may not have time to accurately identify all children who are eligible for benefits and that children may not receive benefits they are due. The likelihood of issuances made in error, double issuances, or missed individuals would increase substantially, and there would be a considerable strain on state resources.

Describe the expected waiver implementation date and time period:

RESPONSE: The expected waiver implementation date would be May 1, 2024, and would continue until September 30, 2024.

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.

See here for the [USDA Non Discrimination Statement](#).