

## CS19 - Non-Financial – Social Security Number

**Statute:** Section 211 of CHIPRA 2009; 1414(a)(2) of the ACA

**Regulations:** 42 CFR 457.340(b)

### INTRODUCTION

To be completed by states with separate child health assistance programs.

State plan page CS19 includes requirements related to individuals who are required to furnish or who voluntarily provide their social security number(s) and requirements regarding the state's responsibility to these individuals.

### BACKGROUND

42 CFR 457.340(b) applies the same requirements to CHIP that apply to Medicaid (42 CFR 435.910 and 435.907(e)) with respect to the provision and use of social security numbers and non-applicant information.

42 CFR 435.910 makes it mandatory for states to require, as a condition of eligibility, that each individual (including children) requesting Medicaid services furnish each of his or her social security numbers (SSNs). States are also required to inform individuals regarding the use of SSNs and to assist individuals to apply for an SSN if they do not have one. Additionally, states must verify each SSN of each applicant and beneficiary with the Social Security Administration to ensure that each SSN furnished was issued to that individual, and to determine whether any others were issued.

With regulatory changes in final rule 77 FR 17206 published on March 23, 2012, implementing several provisions of the Patient Protection and Affordable Care Act of 2010, CMS sought to clarify and modify certain requirements related to SSNs. Some of these changes include:

- Revised section 42 CFR 435.910(a) and (h) clarifies the SSN requirement for individuals who are not eligible for an SSN or do not have one and are only able to be issued an SSN for a non-work purpose. These individuals do not need to provide an SSN.
- Paragraph (e)(3) was added to 42 CFR 435.907 to codify the long standing policy from previous guidance (Tri-Agency Guidance for Medicaid and CHIP) prohibiting states from requiring a non-applicant from providing an SSN. Provision of an SSN may occur on a voluntary basis. The Tri-Agency guidance may be found at Hyperlink: [Tri-Agency Letter](#).

### TECHNICAL GUIDANCE

#### PREREQUISITES:

None

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This state plan page is broken down into the following sections:

- Mandatory Provision of an SSN
- Voluntary Provision of an SSN

### **Mandatory Provision of an SSN**

State plan page CS19 begins with a policy statement that the state must require that individuals, as a condition of eligibility, furnish their social security number or numbers if they have more than one number.

#### ***Assurance***

The policy statement is followed by the state providing an assurance that it meets this requirement, with the allowable exceptions.

The state provides this affirmative assurance by checking the box next to the assurance statement.

### **Review Criteria**

***The state must check the assurance box or this state plan page cannot be approved.***

#### ***Requirements***

This section displays two requirements which must be met by the state when requesting an SSN from individuals who are required to provide their SSN:

- To provide assistance to individuals, who are required to provide their SSN, to apply for or obtain an SSN from the Social Security Administration if the individual does not have or forgot their SSN; and
- To inform individuals who are required to provide their SSN, by what statutory authority the number is solicited and how the state will use the SSN.

These are pre-selected as they are required of all states.

#### ***Verification Assurance***

In this section the state provides assurance that it will verify each SSN furnished by an applicant or beneficiary with the Social Security Administration, not deny or delay services to an otherwise eligible applicant pending issuance or verification of the individual's SSN by the Social Security Administration and that the state's utilization of the SSN is consistent with sections 205 and 1137 of the Social Security Act and the Privacy Act of 1974.

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The state provides this affirmative assurance by checking the box next to the assurance statement.

### **Review Criteria**

***The state must check the assurance box or this state plan page cannot be approved.***

### **Voluntary Provision of an SSN**

The last section begins with a statement that the state may request non-applicant household members to voluntarily provide their SSN. This statement is followed by a Yes/No question for the state to indicate if it requests non-applicant household members to voluntarily provide their SSN.

### **Review Criteria**

***The state must select either yes or no or this state plan page cannot be approved.***

- If the response is yes, the state then provides assurance that:
  - At the time that the SSN is requested, the state informs the non-applicant that this information is voluntary and provides information regarding how the SSN will be used; and
  - The state only uses the SSN for determination of eligibility for CHIP or other insurance affordability programs, or for a purpose directly connected with the administration of the state plan.

The state provides this affirmative assurance by checking the box next to the assurance statement.

### **Review Criteria**

***The state must check the assurance box or this state plan page cannot be approved.***