

Justification for Collecting Social Security Numbers

Form #/ Title: CMS-10797 Application for Medicare Part A and Part B Special Enrollment Period (Exceptional Conditions)

OMB #: 0938-1426

Social Security numbers (SSN) may NOT be collected unless it is absolutely necessary (e.g., a statutory requirement). If you believe your collection must collect SSNs, you must provide the rationale for using the SSN as a data element. Please make sure to list and explain any public law, U.S. Code, Executive Order, or statute that mandates or authorizes the use of the SSN. Please respond to all the following questions:

- **Why do you need to use the SSN?**

Under §205(c)(1) of the Social Security Act (the Act), the Commissioner of the Social Security Administration (SSA) is required to establish and maintain records of the wages paid to each individual and the amounts of self-employment income. These earnings determine an individual's (and/or their dependents or survivors) eligibility for and the amount of Social Security benefits and eligibility for Medicare. To accomplish the task, the Commissioner of SSA assigns SSNs to all individuals; including applicants for or recipients of any federally funded program (e.g. Social Security, Supplementary Security Income benefits, Medicare), aliens who are lawfully present in the United States and children. The SSA uses the SSN as the record identifier for applicants for or recipients of social security and/or Medicare benefits.

The SSN is required to assure individuals with similar names are accurately identified and properly processed. The SSN is used to identify spousal and Social Security Act Title II benefits relationship for eligibility for premium-free Hospital Insurance (Part A) and Supplementary Medical Insurance (Part B).

- **What will happen if you cannot use the SSN as a data element?**

If the SSN is not used, the Medicare Beneficiary Identifier (MBI), referred to as the Medicare number on the CMS-1047, can be used to identify individuals. If neither identifier is available, the Federal Government may be unable to properly verify identity, which could result in the denial of enrollments.

- **Explain alternative data elements considered and why you do not consider them suitable replacements for the SSN.**

The Medicare Beneficiary Identifier (MBI), referred to as the Medicare number, is an acceptable alternative to the SSN when it is available, as it can be used to identify individuals already enrolled in Medicare. However, if the MBI is not available, the SSN remains the only acceptable data element. This is because the Social Security Administration relies on the SSN to determine Title II benefits, from which Medicare entitlement is derived. At present, no other data elements provide a suitable replacement for establishing and verifying this eligibility.

- **What are the costs associated with alternatives?**

N/A