

Justification for Collecting Social Security Numbers

Form #/ Title: CMS-43 Application for Medicare Part A (Hospital Insurance) and Part B (Medical Insurance) for People with End-Stage renal Disease

OMB #: 0938-0080

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 the following questions:

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

All Title II and Medicare entitlement determinations are made by the Social Security Administration (SSA) and are based on an individual's Social Security Number (SSN). Sections 226 and 226A of the Social Security Act establish that entitlement to premium-free Medicare Part A is derived from entitlement to Social Security benefits under section 202 of the Act or other qualifying work-related circumstances, including for individuals applying on the basis of End-Stage Renal Disease (ESRD).

SSA tracks earnings and tax contributions using the SSN and relies on it to locate and evaluate the appropriate record when an individual applies for benefits. There is no alternative identifier SSA uses to establish or verify entitlement; therefore, the SSN—of the applicant and, when applicable, a related individual such as a spouse or parent—is required to determine eligibility in accordance with the law and to ensure accurate identification of individuals with similar names.

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

If the applicant has a Medicare Beneficiary Identifier (MBI), they may apply for Medicare based on ESRD using the MBI in place of the SSN. The MBI, referred to as the “Medicare Number” in Section 1, Question 1 of the CMS-43 form, is issued by CMS and may already be available to individuals who previously received or currently receive Medicare, such as those entitled due to disability or age 65 and older.

- **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