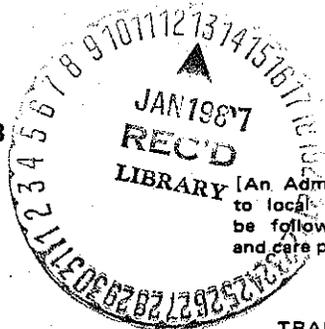


NEW YORK STATE
 DEPARTMENT OF SOCIAL SERVICES
 40 NORTH PEARL STREET, ALBANY, NEW YORK 12243

ESAR A. PERALES
 Commissioner



[An Administrative Directive is a written communication to local Social Services Districts providing directions to be followed in the administration of public assistance and care programs.]

ADMINISTRATIVE DIRECTIVE

TRANSMITTAL NO.: 87 ADM-1
 (Family and Children's Services)

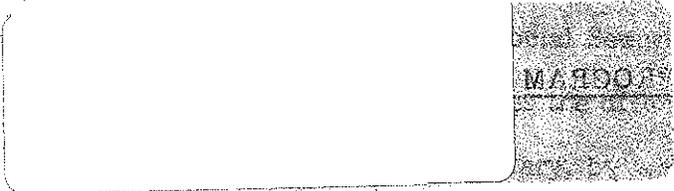
TO: Commissioners of Social Services

SUBJECT: Acquisition of Social Security Numbers in the Provision of Social Services

DATE: January 9, 1987

SUGGESTED DISTRIBUTION: Directors of Services
 Staff Development Coordinators

CONTACT PERSON: Questions regarding this release should be directed to Samuel S. Fisher, Division of Family and Children Services, by calling 1-800-342-3715, extension 4-9606.



I. PURPOSE

The purpose of this directive is to advise local districts of the provisions of a revision to 18 NYCRR Part 404 regarding the acquisition of social security numbers in the provision of social services and how such numbers may be acquired within the provisions of the Federal Privacy Act (P.L. 93-579).

FILING REFERENCES

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Social Services Law and Other Legal References	Bulletin/Chapter Reference	Miscellaneous Reference
84 ADM-34		351.2(c) 404.1(c) (4)	Federal Privacy Act (PL 93-579)	Bulletin 195, Section III, C.3.d.i.	

require disclosure of Social Security numbers, Federal statute requires that Social Security numbers be obtained for purposes of medical assistance eligibility. Since children who currently have Title IV-E adoption assistance agreements in effect, and children on whose behalf Title IV-E foster care maintenance payments are made, are automatically eligible for medical assistance, the local district must arrange for either Services staff or Medical Assistance staff to obtain or initiate efforts to obtain Social Security numbers.

In those districts which have elected to have Medicaid applications for non IV-E children in the Child Welfare/Foster Care Program filed by Services staff, workers must continue to obtain Social Security numbers.

If a parent fails to comply with the Social Security enumeration requirements on behalf of a child, medical assistance shall not be withheld from the child who is otherwise eligible.

Other programs require an applicant or recipient to disclose his or her Social Security number as a condition of eligibility. These programs are Aid to Families with Dependent Children, Medicaid, the Food Stamp Program, Supplemental Security Income and Aid to the Aged, Blind and Disabled. An applicant under any of these programs must disclose his or her Social Security number to receive benefits. In addition, the Social Security Act authorizes the use of the Social Security number of an absent parent in operating the child support enforcement program under Title IV-D. Disclosure of the Social Security number of an applicant for Title IV-E services remains voluntary, however.

If a social services official asks an applicant for social services to disclose his or her Social Security number, the applicant must be given notice of the restrictions stated in Section 7 of the Federal Privacy Act. These restrictions require giving the applicant notice of the following conditions:

1. Revealing the person's Social Security number is voluntary, and no penalty may be assessed for failure to comply with this request;
2. The authority under which this request is being made; and
3. The use to which the Social Security number will be put.

This notice may be given orally or in writing. A sample of a written notice in English and Spanish is attached as an appendix. When a request for an applicant's Social Security number is made, a case contact must be made indicating the request, how it was given, and, if given in writing, a copy of the notice must be retained in the case folder, signed by both the applicant and the case manager.

V. SYSTEMS IMPLICATIONS - WMS/SERVICES

1. A social services official who requests and obtains Social Security numbers of applicants for services as outlined in this ADM should process the application in WMS/Services in the prescribed manner. The appropriate Social Security Number Indicator that is found on the WMS/Services Coding Guide (revised 6/86) should be used.

Paragraph (4) of subdivision (c) of section 404.1 is repealed and a new paragraph (4) is added thereto, to read as follows:

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(4) Except where required by federal law or regulation, no person who applies for a social service shall be required to disclose the social security number of any person for whom the service is requested as a condition of eligibility for the service. However, nothing herein shall restrict the ability of a social services official to request that the applicant disclose the social security number of the person who will receive the service. If such a request is made, the applicant must be informed whether the disclosure is mandatory or voluntary, by what statutory or other authority such number is solicited and the uses which will be made of the social security number. A request for disclosure of the applicant's social security number may be made either orally or in writing.

Deleted material [brackets]; new material underlined.

NOTICE TO BE GIVEN APPLICANTS FOR OR RECIPIENTS OF SERVICES WHEN REQUESTING SOCIAL SECURITY NUMBERS

In order to determine whether you have in the past received or are currently receiving services or other benefits through this or any other social services district, we are requesting that you give your interviewer your Social Security Number. Your Social Security Number may also be used to verify the information, including any employment information, contained in your application for services. You do not have to reveal your Social Security Number and no penalty will be imposed if you choose not to disclose your Number.

This notice is being given to you in accordance with the provisions of Section 7 of the Federal Privacy Act (P.L. 93-579).

NOTIFICACION PARA LOS SOLICITANTES O BENEFICIARIOS DE SERVICIOS CUANDO SE LES SOLICITA SU NUMERO DE SEGURO SOCIAL

Para poder determinar si usted ha recibido o está recibiendo servicios u otros beneficios a través de este o cualquier otro distrito de servicios sociales, le rogamos que provea a su entrevistador(a) su Número de Seguro Social. Su Número de Seguro Social también puede ser utilizado para verificar la información, incluyendo cualquier información sobre su empleo, contenida en su solicitud para la obtención de servicios. Usted no está en la obligación de dar a conocer su Número de Seguro Social, y no se le impondrá ninguna penalidad si usted desea no revelar su Número.

Esta notificación se le está proveyendo a usted de acuerdo a las provisiones de la Sección 7 de la Ley Federal de Privacidad (P.L. 93-579).

SIGNATURE OF APPLICANT FIRMA DEL SOLICITANTE	DATE FECHA
SIGNATURE OF CASE MANAGER FIRMA DEL ADMINISTRADOR(A) DEL CASO	DATE FECHA



THE STATE OF TEXAS,
COUNTY OF [illegible]

Know all men by these presents, that [illegible]
of the County of [illegible] State of Texas, for and in
consideration of the sum of [illegible] Dollars, to [illegible]

do hereby certify that [illegible]
is the true and correct copy of the original
of the same as the same appears from the records
of the County of [illegible] State of Texas.

Witness my hand and seal of office this [illegible] day
of [illegible] 19[illegible].



Notary Public in and for the State of Texas.

