
**ORANGE COUNTY SOCIAL SERVICES AGENCY
CFS OPERATIONS MANUAL**

Effective Date: September 29, 2011

Number: D-0407

Social Security Numbers

Purpose To provide guidelines to obtain Social Security Numbers for children in out-of-home care, and for maintaining the protection of Social Security Numbers.

Approved This policy was approved by Gary Taylor, Director of CFS, on September 29, 2011. *Signature on file.*

Most Recent Revision This revision of the Policy and Procedure (P&P) clarifies:

- Statutory authority for certain parties/agencies to request a Social Security Number (SSN)
- Purposes for which a foster child's SSN may be released
- Guidelines to safeguard against identity theft and/or fraudulent use of a child's SSN

Background Eligibility for Emergency Assistance (EA) and Aid to Families with Dependent Children–Foster Care (AFDC-FC) requires a SSN, or completed application, for each child served by Children and Family Services (CFS).

To protect the public from the growing risk of identity theft, the Social Security Administration (SSA) has made the SSN application more complex. CFS has also developed practices to protect the Personally Identifiable Information (PII) of clients while continuing to maintain comprehensive records.

Legal Mandates [California Eligibility and Assistance Standards \(EAS\), Section 40-105.24](#) requires each AFDC-FC applicant or recipient to have an SSN and directs the placing agency to make application for

children whose parents are unavailable or uncooperative.

[All County Letter \(ACL\) 95-39](#) summarizes changes to the federal law for aid effective October 1, 1995. This includes a 30-day grace period for cash aid applicants/recipients to submit their SSN (or proof of completed application), the application process for newborns, and the requirement to notify clients and discontinue aid for non-compliance.

[All County Information Notice \(ACIN\) I-45-92](#) reminds counties of SSN requirements and the need to review and verify the reported numbers through Income and Eligibility Verification System (IEVS) for fraud prevention.

[Intelligence Reform and Terrorism Prevention Act of 2004, Public Law 108-458](#) sets national standards for identification documents including social security cards, in an attempt to prevent identification fraud and ensure public safety. Further, it amends the Social Security Act to prohibit the display of SSNs on any document issued by states to individuals for identification.

[Welfare and Institutions Code \(WIC\) section \(§\) 10850](#) and California Department of Social Services (CDSS) Manual of Policies and Procedures (MPP) [Division 19, section 19-001](#) provide that confidential client information may only be released in the administration of public social service programs.

CDSS MPP [Division 19, section 19-004](#) provides that confidential case information may be released to school superintendents (and their representatives), as necessary for the administration of need-based federal assistance programs.

[Internal Revenue Code Title 26 Chapter 61, section 6109](#) authorizes the Internal Revenue Service (IRS) to require taxpayers to include SSNs of persons claimed as dependents on tax returns.

[United States \(US\) Code Title 42](#), Chapter 7, section 405(c)(2)(C)(i) authorizes states to collect and use SSNs for the purposes of tax administration and general public assistance programs.

[United States Code Title 42](#), Chapter 7, section 1320b-7 requires applicants for, and recipients of Medicaid benefits, to provide their SSN to the state administering program.

[United States Code Title 42](#), Chapter 44, section 3543 allows the Department of Housing and Urban Development to require applicants (including members of the household) to disclose SSNs to be eligible for programs involving loans, grants, and/or rental assistance.

The Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT Act) of 2001, section 326, establishes minimum standards for financial institutions (i.e. banks) to collect identifying information (e.g., SSNs) regarding the identity of customers opening an account at the financial institution.

POLICY

SSN Requests

Foster Care Eligibility will request a social security card for each child in out-of-home care, for whom application is made for EA or AFDC-FC unless:

- The child has an existing SSN
- The child is unnamed
- The child has a birthplace outside of the United States or its territories. (Regulations do not require CFS to make application for unqualified aliens)

Exception: Application will be made on behalf of a child born outside of the United States, provided the child is a US citizen, and the child's birth has been registered.

The parent may provide the child's SSN to CFS staff or Foster Care Eligibility. If not provided, Foster Care Eligibility will search the Folder Tracking System (FTS) and MediCal Eligibility Data System (MEDS) to obtain the number.

A. **New Number Requests:**

The Enumeration at Birth (EAB) program was established by the SSA in 1989. EAB allows parents to request issuance of a SSN on behalf of a child born in the US or certain US territories, as part of the birth registration process.

When no SSN record exists for the child, Foster Care Eligibility staff will make application by completing the *Application for a Social Security Card (SS-5)* and SSA

Referral Notice (MC 194). The following required documents will be attached to the application to verify the child's age, citizenship, dependency, and placement:

- Certified Birth certificate
- Minute order documenting dependency
- *FCApp (F063-28-307)* or *Placement Information Change (PIC) Notice (F063-28-301)*

For children over age 12 years that need an original number assigned, the Eligibility Technician (ET) will notify the Senior Social Worker (SSW) of the need for the child to appear in person for the application. The SSW may contact the local SSA office to request that SSA visit the child's placement for this purpose. If SSA personnel decline, the child's caregiver or SSW will take the child to the appointment for the application.

There is no cost associated with SSN application.

B. Duplicate Card Requests:

When the SSN is known, the assigned SSW or program designee will request a duplicate social security card for the child's records, providing the following documents with the request:

- *Application for a Social Security Card (SS-5)*
- *SSA Referral Notice (MC 194)*
- *FCApp (F063-28-307)*
- Minute order documenting dependency

Note: The SSA limits social security card replacements to three times per year and 10 times during the person's lifetime unless it determines there is minimal opportunity for fraud.

All social security cards are issued centrally from Baltimore, Maryland, and are delivered to CFS at one post office box address only. They cannot be mailed directly to the child's caregiver or SSW.

Processing time for duplicate social security cards is approximately one week. There is no cost.

C. New Card Following Adoption:

If a social security card is needed following adoption finalization, for an adopted child's new identity, refer the

request to the supervisor over post-adoption inquiries or the Officer of the Day in the Adoptions Program. To apply for a new SSN for an adopted child, the following proof of identity is required:

- Certified birth certificate (with adopted child's new name)
- OR–**
- Adoption decree, if issuance of a new birth certificate is still pending (submit Ex Parte to obtain a court order authorizing release of the Adoption decree)

SSN Records

The original social security card will be filed in the child's service file on the *Medical Acco (F063-25-1115)* and a copy of the card will be kept on file in the child's eligibility case record (*Vital Statistics Acco*).

Steps will be taken to protect the SSNs of all children, parents, and service providers from risk of identity theft:

- A. SSNs will not be included in documents saved to computer hard drives. Instead, use the S drive to temporarily store *all business-related files containing confidential information* (including PII).
- B. All forms available on the CFS Intranet that contain a client's or service provider's name in association with their SSN, driver's license number, or other license number (e.g., medical license), will be protected and unable to be saved to computer hard drives.

Staff using these forms will be limited to the following options:

- Obtain the hard copy available in the CFS Forms Room and complete by hand
- Print the PDF version available via the CFS Intranet Online Forms Room and complete by hand OR fill out the PDF version online and print. The "Save" function on PDF forms is disabled to the extent that any filled-in information will be deleted and only a blank form will be saved to computer hard drives

Note: Forms in CWS/CMS that require personal identifiers to be filled in are savable in the CWS/CMS application only.

- C. Further precautions taken by staff will include securing passwords to prevent unauthorized use and locking desktop and/or laptop computers when left unattended.
- D. When providing dependent youth with their social security card, social work staff will advise the youth of important security precautions to protect the number, including:
 - Memorize the SSN and keep the social security card stored in a safe place with other important papers
 - Do not give the SSN to requests over the phone or email
 - Limit giving out the SSN to employers, financial institutions, and the IRS. Very few entities need an individual's complete SSN

Release of SSNs

On occasion, a SSW or ET may receive a request for a child's SSN. The following, while not a comprehensive listing, are the most common purposes for which a SSN may be released by CFS:

- Caregiver's (e.g., licensed foster parent, relative/NREFM, etc.) tax purposes
 - Any caregiver provided a child's SSN for tax purposes, will also be advised to contact the IRS (www.irs.gov) to determine if criteria has been met for the caregiver to claim the foster child as a dependent for tax purposes

Exception: A SSN is not required for a prospective adoptive parent to claim a child for tax purposes. Pending adoption finalization the prospective adoptive parent may contact the IRS to obtain an *Application for Taxpayer Identification Number for Pending U.S. Adoptions (W-7A)*. The identification number provided by the IRS will be valid for two years.

- Enrollment of the child in school and/or for a school lunch program
- Open a bank account on behalf of the child
- Obtain medical coverage for a child placed out-of-state
- Application for federal/state/local government services and/or assistance (e.g., Housing and Urban Development [HUD] assistance)

To limit potential identity theft and/or fraudulent use of a child's SSN, CFS staff will:

- A. Always use caution when releasing a child's SSN. A determination about the appropriateness of releasing the SSN will take into account:
- The reason (purpose) the SSN is requested
 - How the SSN will be used
 - Whether there is statutory or other authority for requesting the information
 - Potential ramifications if the SSN is not provided
- B. Provide the requested SSN directly to the authorized party/agency entitled to receive the SSN. The SSN will not be provided to a caregiver unless Juvenile Court authorization has been obtained by way of an Ex Parte.
- Exception:** The SSN may be provided to a caregiver, without a court order, for tax purposes only. The SSN is not required for a prospective adoptive parent to claim a child for tax purposes (as detailed above in this Policy section).
- C. Only provide a child's SSN and will not provide the social security card.
- Exception:** A copy of the child's social security card may be provided to demonstrate proof of citizenship or residency, if required for application for federal/state/local government services and/or assistance.

Unauthorized Disclosure

In the event of lost or unauthorized disclosure of a child's SSN, refer to the Procedure section of Social Services Agency Administrative P&P [Loss of Personally Identifiable Information \(I 7\)](#), for reporting and notification requirements.

REFERENCES

Attachments and CWS/CMS Data Entry Standards

Hyperlinks are provided below to access attachments to this P&P and any CWS/CMS Data Entry Standards that are referenced.

- [CWS/CMS Data Entry Standards—Updating the Client Notebook](#)

Hyperlinks

Users accessing this document by computer may create a direct connection to the following references by clicking on them.

- CFS Policy and Procedure (P&P) [Birth Certificate: Foster Care \(D-0401\)](#)
- Social Services Agency Administrative P&P [Loss of Personally Identifiable Information \(I 7\)](#)
- [Social Security Numbers For Children, SSA Publication 05-10023](#)

Other Sources

Other printed references include the following:

None.

REQUIRED FORMS

Online Forms

Required forms listed below may be printed out and completed, or completed online, and may be accessed by clicking on the link provided.

Form Name	Form Number
Application for Taxpayer Identification Number for Pending U.S. Adoptions	W-7A
Application for a Social Security Card (Social Security Administration form)	SS-5
Social Security Administration Referral Notice (California Department of Health Care Services form)	MC 194

Hard Copy Forms

Forms listed below must be completed in hard copy (including multi-copy NCR forms). **For reference purposes only**, links are provided to view these hard copy forms, where available.

Form Name	Form Number
Medical Acco	F063-25-1115

**CWS/CMS
Forms**

The following required forms may **only** be obtained in CWS/CMS. ***For reference purposes only***, links are provided to view these CWS/CMS forms, where available.

Form Name	Form Number
Placement Information Change (PIC) Notice	F063-28-301
Foster Care Application Information (FCApp)	F063-28-307

Brochures

Brochures to distribute in conjunction with this procedure include:

Brochure Name	Brochure Number
None.	

PROCEDURE

**Required Actions—
New Cards**

The following actions must be completed when a new SSN is needed for a child.

Staff Responsible	Step	Required Action
Foster Care Intake Eligibility Technician (ET)	1.	For a child <u>with</u> a recorded SSN: Identify number in the Folder Tracking System (FTS). Validate SSN through Income and Eligibility Verification System (IEVS). No further action required.
	2.	For a child <u>without</u> a recorded SSN: Request a certified birth certificate. Refer to CFS P&P Birth Certificate: Foster Care (D-0401) for additional information on this process. Complete application for child's SSN, using: <ul style="list-style-type: none">• <i>SSA Referral Notice (MC 194)</i>• <i>Application for a Social Security Card (SS-5)</i>• Certified birth certificate, if on file• Minute order• <i>FCApp (F063-28-307)</i> Exception: If the child is age 12 years or older, notify SSW to make an appointment with the SSA for the child to appear in person. Instruct SSW to take the

child and application packet provided to the SSA office or request that SSA visit child's placement to complete the application process.

3.
 - a. Send application packet to SSA.
 - b. Retain copy of application in child's eligibility file, *Vital Statistics Acco*.
 - c. Document action taken in CalWIN Case Comments.
 - d. Set up alert for three-month follow up by Continuing ET.

**Foster Care
Continuing ET**

4. Follow up on certified birth certificate and SSN request to ensure receipt. Resubmit application packet with certified birth certificate, if needed.
5. Upon receipt of social security card and returned certified birth certificate, make and file a photocopy of both in the child's eligibility case, *Vital Statistics Acco*.
6. Forward original social security card and certified birth certificate to assigned SSW's unit clerk.

Unit Clerk

7.
 - a. Receive and file original social security card and certified birth certificate in child's service file, *Medical Acco (F063-25-1115)*.
 - b. Enter child's SSN in CWS/CMS, if needed, using [CWS/CMS Data Entry Standards—Updating the Client Notebook](#).

Required Actions— Duplicate Cards	The following actions must be completed when a duplicate SSN card is needed for a child.	
Staff Responsible	Step	Required Action
SSW or Program Designee	1.	Complete application for child's duplicate social security card using:

- *SSA Referral Notice (MC 194)*
- *Application for a Social Security Card (SS-5)*
- Minute order
- *FCApp (F063-28-307)*

Send application packet to SSA.

2. Upon receipt, forward original social security card to assigned SSW's unit clerk.
 3. File copy in child's service file on *Medical Acco (F063-25-1115)*.
- Unit Clerk**