

HEALTH CARE REFORM POLICY DOCUMENTATION

SOCIAL SECURITY NUMBER (SSN)

This policy applies to:	<input checked="" type="checkbox"/> MAGI Medicaid <input checked="" type="checkbox"/> Non-MAGI Medicaid <input checked="" type="checkbox"/> Advanced Premium Tax Credits	<input checked="" type="checkbox"/> Cost Sharing Reductions <input checked="" type="checkbox"/> Qualified Health Plans (QHP) <input type="checkbox"/> Individual Insurance Requirement Exemption
Does this document reflect a change in policy?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

Document Scope:	This document explains the Social Security Number requirements for the IAPs and Qualified Health Plan enrollment eligibility.
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DEFINITIONS		
Term	Definition	Comments
Well established religious objection	The term “well established religious objection” means the person is a member of a recognized religious sect or division of the sect and adheres to the tenets or teachings of the religion and for that reason is conscientiously opposed to applying for or using a national identification number.	42 CFR 435.910(h)(3)

‘AS IS’ POLICY ASSESSMENT OF CURRENT POLICY	
Current Citations <i>List citation and link to underlying authority or embedded PDF</i>	Plain Language Synopsis of Citations
42 CFR 435.910	Provides regulations for Medicaid agencies on the use of SSNs.
42 CFR 435.920	Medicaid agencies need to verify an applicant’s SSN with SSA.
42 CFR 435.948(b) and (c)	When requesting information from electronic sources to verify eligibility, Medicaid agencies must request the information by SSN. If an applicant cannot provide an SSN at application, the agency must request the information at the next available opportunity after receiving the SSN.
20 CFR 422.104 and 20 CFR 422.107 (where first bullet’s ‘true identity’ text comes from)	<p>A person is eligible for an SSN if he or she:</p> <ul style="list-style-type: none"> • provides convincing evidence of age, U.S. citizenship or alien status, and true identity; and • is either <ul style="list-style-type: none"> ○ a U.S. citizen. ○ an alien lawfully admitted to the United States for permanent residence or under other authority of law permitting him or her to work in the United States. ○ an alien who cannot provide evidence of alien status showing lawful admission to the United States, or an alien with evidence of lawful admission but without authority to work in the United States, if the convincing evidence does not exist, but only for a valid nonwork reason. A valid non-work reason is either: <ul style="list-style-type: none"> ▪ The person needs a Social Security number to satisfy a Federal law that requires him or her to have a Social Security number in order to receive a Federallyfunded benefit to which he or she would have otherwise established entitlement and he or she resides either in or outside the United States ; or ▪ The person needs a Social Security number to satisfy a State or local law one in order to receive public assistance benefits to which he or she would have otherwise

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	established entitlement, and he or she is legally in the United States.
Triagency Guidance on SSNs	Clarifies when a state is required to request information about SSNs on joint and single-program applications, when a state is not required to do so, and the circumstances under which a state may or may not deny benefits when an applicant does not provide the information that the state has requested.

Current Policy

Each individual requesting Medicaid/CHIP must provide his or her SSN as a condition of eligibility. This does not apply to:

- an applicant who refuses to obtain an SSN because of well established religious objections; or
- undocumented and nonimmigrant people applying for or receiving EMA

An applicant for Medicaid must be advised of the authority under which the agency is requesting his or her SSN and how the SSN will be used.

If an applicant cannot recall his or her SSN or if an SSN has not been issued for the applicant, the agency must:

- assist the applicant in completing an application for a SSN.
- obtain evidence required under SSA regulations to establish the age, the citizenship or alien status, and the true identity of the applicant.
- either send the application to SSA or, if there is evidence that the applicant has previously been issued a SSN, request SSA to furnish the number

The agency must verify each applicant's SSN with SSA.

An agency cannot deny or delay services to an otherwise eligible applicant pending the issuance or verification of an SSN.

When requesting verification of financial information from electronic data sources, the Medicaid agency must request the data by using the person's SSN. If the SSN is unavailable, the agency must request the information at the next available opportunity after receiving the SSN.

References: *Include links to HCPM sections, DHS web, bulletins or other relevant documentation of current policy.*

[HCPM Chapter 10](#)

'TO BE' POLICY ASSESSMENT UNDER ACA

ACA Citations <i>List citation and link to underlying authority or embedded PDF</i>	Plain Language Synopsis of Citations
Medicaid Rules: Federal register: 42 CFR 435.910 (a) and (f)-(J) Existing rules: (b)-(g)	Provides regulations for Medicaid agencies on the use of SSNs. Applicants are required to provide SSN unless an exception applies. These include: <ul style="list-style-type: none"> • The person is not eligible to receive an SSN. • The person does not have an SSN for a valid non-work reason. • The person refuses to obtain an SSN because of well-established religious objections.

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	<p>The agency cannot deny services to someone for the sole reason that the person doesn't have an SSN.</p> <p>Notices: The agency must advise the applicant of the authority under which they are requesting the information and the uses the agency will make of the information.</p> <p>If the applicant cannot recall or does not have an SSN, the agency must assist the applicant in finding out the SSN or completing an application for an SSN.</p>
<p>Medicaid Rules: 42 CFR 435.907(e)(3)</p>	<p>A Medicaid agency can request an SSN from a non-applicant as long as:</p> <ul style="list-style-type: none"> • It is voluntary. • The SSN is used only to determine an applicant's eligibility for an insurance affordability program or for a purpose directly connected to administration of the State Plan. • When the SSN is requested, the agency provides clear notice to the application filer that it is voluntary and the agency provides information on how the SSN will be used.
<p>Medicaid Rules 42 CFR 435.340 (b)</p>	<p>Rules regarding SSN and Medicaid apply equally to CHIP.</p>
<p>Medicaid Rules: 42 CFR 435.948(c)</p>	<p>Medicaid agencies must obtain information from other sources in order to verify financial information. To the extent the agency determines such information is useful, it must request the information by SSN. If an SSN is unavailable, it must request the information by using other personally identifying information if possible.</p>
<p>Medicaid Rules: 42 CFR 435.956(d)</p>	<p>Medicaid agencies must verify SSNs.</p>
<p>Exchange Rules: 45 CFR 155.310(a)(3)(ii) 45 CFR 155.305(f)(6)</p>	<p>Individuals who are not seeking coverage can't be required to provide a Social Security number. However, if an applicant attests that the tax filer for the family has a Social Security number and has filed a tax return for the previous year, the applicant must supply that Social Security number to verify household income and family size.</p>
<p>Exchange Rules: 45 CFR 155.310(a)(3)(i)</p>	<p>The Exchange must require an applicant who has a Social Security number to provide such number to the Exchange.</p>
<p>Exchange Rules: 45 CFR 155.315(b)</p>	<p>The Exchange must validate the SSN for any individual who provides one to the Exchange. The Exchange must transmit it to HHS which will send it to SSA. To the extent SSA is unable to validate it, the Exchange must follow its inconsistent information process except it must give the individual a period of 90 days <i>from the date the notice is received</i> in order to provide satisfactory documentary evidence or resolve the inconsistency with SSA. The date the notice is received is five days after the date on the notice unless the individual demonstrates he or she did not receive the notice within the five-day period.</p>
<p>Exchange Rules: 45 CFR 155.315(c)</p>	<p>For an applicant who attests citizenship and has an SSN, the Exchange must transmit the SSN and other identifying info to HHS which will submit it to SSA.</p>
<p>Exchange Rules: 45 CFR 155.320(c)</p>	<p>For all individuals whose income is counted in calculating a tax filer's household income and for whom the Exchange has an SSN or an adopted taxpayer ID number (ATIN), the Exchange must request tax return data regarding MAGI and family size from the Secretary of the Treasury by transmitting identifying information specified by HHS to HHS.</p> <p>Note: An ATIN is an Adoption Taxpayer Identification Number issued by the Internal Revenue Service as a temporary taxpayer identification number for the</p>

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	child in a domestic adoption where the adopting taxpayers do not have and/or are unable to obtain the child's Social Security Number (SSN).

To Be Policy	
MAGI	<p>Each individual requesting Medicaid must provide (attest to) his or her SSN as a condition of eligibility. This does not apply to an individual who:</p> <ul style="list-style-type: none"> • Is not eligible to receive an SSN; or does not have one and may only be issued one for a valid non-work reason. • Refuses to obtain an SSN because of well-established religious objections. • Is an undocumented or nonimmigrant person applying for or receiving Emergency MA. <p>Though each individual requesting Medicaid must provide his or her SSN as a condition of eligibility, this does not apply to an applicant who refuses to obtain an SSN because of well established religious objections.</p> <p>A State may give a Medicaid ID to someone who meets an exception. The ID number may be either an SSN obtained by the State on the applicant's behalf or another unique identifier.</p> <p>An applicant for Medicaid must be advised of the authority under which the agency is requesting his or her SSN and how the SSN will be used.</p> <p>An agency cannot require someone who is not applying for benefits for him/herself to provide an SSN. An agency may request a non-applicant to provide an SSN only if it is voluntary and the agency permits the application to be completed without it.</p> <p>The agency must verify each applicant's SSN with SSA.</p> <p>If an applicant cannot recall his or her SSN or if an SSN has not been issued for the applicant, the agency must:</p> <ul style="list-style-type: none"> • Assist the applicant in completing an application for a SSN. • Obtain evidence required under SSA regulations to establish the age, the citizenship or alien status, and the true identity of the applicant. • Either send the application to SSA or, if there is evidence that the applicant has previously been issued an SSN, request SSA to furnish the number. <p>An agency cannot deny or delay services to an otherwise eligible applicant pending the issuance or verification of an SSN. Give the individual a period of 90 days from the date the notice is received in order to provide satisfactory documentary evidence of the SSN or to resolve an inconsistency with SSA.</p> <p>When requesting verification of financial information from electronic data sources, the Medicaid agency must request the data by using the person's SSN. If the SSN is unavailable, the agency must request the information by using other personally identifying information if possible.</p>
Non-MAGI (Applies Across Medicaid)	Changes to current policy also apply to non-MAGI.
Advanced Premium Tax Credits	<p>Each individual seeking APTC through the Exchange must provide his or her SSN as a condition of eligibility. The Exchange must validate the SSN with SSA through the federal data hub.</p> <p>The Exchange cannot require a nonapplicant to provide his or her SSN unless the application filer states the tax filer has an SSN and filed a tax return for the year for which tax data would be</p>

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	<p>utilized for verification of household income and family size.</p> <p>To the extent SSA is unavailable to validate the SSN, the Exchange must follow its Inconsistent Information process except it must give the individual a period of 90 days <i>from the date the notice is received</i> in order to provide satisfactory documentary evidence or resolve the inconsistency with SSA. The date the notice is received is five days after the date on the notice unless the individual demonstrates he or she did not receive the notice within the five-day period.</p> <p>For an applicant who attests citizenship and has an SSN, the Exchange must transmit the SSN and other identifying info to the federal data hub which will submit it to SSA to verify citizenship.</p> <p>For all individuals whose income is counted in calculating a tax filer's household income and for whom the Exchange has a SSN or an adopted taxpayer ID number, the Exchange must request tax return data regarding MAGI and family size from the IRS via the federal data hub.</p>
Cost Sharing Reductions	Same as APTC.
Qualified Health Plans	<p>Each individual seeking a QHP through the Exchange must provide his or her SSN as a condition of eligibility. The Exchange must validate the SSN with SSA through the federal data hub.</p> <p>To the extent SSA is unavailable to validate the SSN, the Exchange must follow its Inconsistent Information process except it must give the individual a period of 90 days <i>from the date the notice is received</i> in order to provide satisfactory documentary evidence or resolve the inconsistency with SSA. The date the notice is received is 5 days after the date on the notice unless the individual demonstrates he or she did not receive the notice within the 5 day period.</p> <p>For an applicant who attests citizenship and has an SSN, the Exchange must transmit the SSN and other identifying info to the federal data hub which will submit it to SSA to verify citizenship.</p> <p>No SSN provided: If a QHP-only applicant does not provide an SSN, follow Incomplete Application processes, such as requesting that each SSN be provided, or follow the SSN Exception process.</p> <p>Though each individual requesting QHP-only must provide his or her SSN as a condition of eligibility if they have one, this does not apply to applicants who meet an SSN exception. These exceptions include:</p> <ul style="list-style-type: none"> • The person is not eligible to receive an SSN. • The person does not have an SSN for a valid non-work reason. • The person refuses to obtain an SSN because of well-established religious objections. <p>A State may give a Medicaid ID to someone who meets an exception. The ID number may be either an SSN obtained by the State on the applicant's behalf or another unique identifier.</p> <p>An agency cannot require someone who is not applying for benefits for him/herself to provide an SSN. An agency may request a non-applicant to provide an SSN only if it is voluntary and the agency permits the application to be completed without it. This may mean a real-time determination may not be possible, based on income, since the hub will be unable to determine income without an SSN. Manual processes must be followed for verification of income in these situations.</p>
Individual Insurance Requirement Exemption	Unknown – federal regulations have not been issued yet.
How will the 'to be' policy affect or apply to:	

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New applicants	Yes – see above
Current Enrollees	N/A
Application Process	Yes – see above
Eligibility Begin Date	N/A
Renewals	N/A
Verification Requirements	Yes – see above
Social Security Number	Yes – see above
Citizenship Status	Yes – see above
Immigration Status	N/A
Insurance, TPL & Benefit Recovery	N/A
State Residency	N/A
Household Composition	N/A
Income and Asset Guidelines	N/A
Income and Asset Deeming	N/A
Income Calculation	N/A
Spenddowns and Obligations	N/A
Premiums	N/A
Covered Services	N/A
Service Delivery	N/A
End of Eligibility	N/A
Other Requirements	N/A
Relationship to Other Programs, Groups or Bases	N/A
Other Reference Material <i>Include links to flowcharts, tables, issue briefs, etc.</i>	SSN Verification Process for Medicaid

Change in State Law Needed?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Detail of State Law Change	
Federal Compliance Considerations?	<input type="checkbox"/> State Plan Option <input type="checkbox"/> Waiver <input type="checkbox"/> Other <input checked="" type="checkbox"/> None
Detail of Federal Compliance Considerations	