

**DIVISION 60**  
**INFORMATION REQUIREMENTS AND REQUESTS**

**111-060-0001**

**Use of Social Security Numbers**

(1) The Oregon Educators Benefit Board (OEBB) will comply with the requirements of Section 7 of the Privacy Act of 1974 and the Oregon Consumer Identity Theft Protection Act, ORS 646A.600 to 646A.628 when requesting or requiring complete or partial disclosure of an eligible employee's or family member's, as defined in ORS 243.860(4) and (5) respectively, social security number.

(2) OEBB may request voluntary disclosure and consent to use the social security number of an eligible employee or family member for the following reasons:

(a) OEBB's internal verification and identification of enrollments or elections for participation in benefits provided by OEBB.

(b) Medicare Secondary Payer Mandatory Reporting Provisions in Section 111 of the Medicare, Medicaid, and SCHIP Extension Act of 2007 (Public Law 110-173).

(3) A request for disclosure of an employee's social security number will notify the eligible employee or family member:

(a) Whether disclosure is mandatory or voluntary;

(b) Under what statutory or other authority the social security number is requested;

(c) What specific use or uses will be made of the number; and

(d) What effect, if any, refusal to provide the number or to grant consent for a voluntary use as described above in (2) will have on an individual.

(4) An eligible employee's or family member's social security number may not be put to a voluntary use as described above in (2) unless the eligible employee or family member has granted consent for that use. If, after having provided notice and received consent to use an eligible employee's or family member's social security number for specified purposes, OEBB wishes to use the social security number for additional purposes not included in the original notice and consent, OEBB must provide the eligible employee or family member notice and receive the eligible employee's or family member's consent to use the number for those additional purposes.

(5) An eligible employee's or family member's refusal to permit voluntary use of his or her social security number will not be used as a basis to deny the eligible employee or family member a right, benefit, or privilege provided by law.

(6) The request for the disclosure of the SSN has been incorporated in the MyOEBB Benefit Management System where all OEBB benefit eligible employees select, enroll, and manage their benefits.

(7) Per guidelines established by Section 111 of the Medicare, Medicaid, and SCHIP Extension Act of 2007, an entity, a plan administrator, or a fiduciary that fails to comply with the requirements may be subject to a civil money penalty of \$1,000 for each day of noncompliance for each eligible employee. Failure by the eligible employee to supply the required information, including, but not limited to, their own or their family member's social security number, Health Insurance Claim Number (HICN) or compliance letter issued by the Centers for Medicare and Medicaid Services (CMS) could result in the termination of coverage provided by the insurance carrier or administrator.

Stat Auth: ORS 243.864

Other Auth: Section 1862 of the Social Security Act [42 U.S.C. 1395y(b)(7)&(b)(8)]

Stats. Implemented: ORS 243.860, ORS 646A.600-646A.628 and Section 1862 of the Social Security Act [42 U.S.C. 1395y(b)(7)&(b)(8)]