



POLICY AND PROCEDURE MANUAL

SUBJECT Social Security Number Privacy	ACCOUNTABLY NMRE, NMRE Network Providers	Effective Date: March 2, 2020	Pages: 2
REQUIRED BY	BBA Section: 42 CFR 438.208, Coordination and Continuity of Care; 42 CFR 438.224, Confidentiality PIHP Contract Section: 7.9.3 MDHHS Standard Consent Form Other: MCL 454 of 2004, Mental Health Code	Last Review Date:	Past Review Date:
Policy: <input checked="" type="checkbox"/> Procedure: <input type="checkbox"/>	Review Cycle: Annual Author: NMRE Compliance Coordinator	Responsible Department: Compliance	Reviewers: NMRE Board of Directors

Definitions

Beneficiary: A person served by the publicly funded behavioral health and substance use disorder system or his/her representative.

Mailed: Delivered by the United States mail or other delivery service that does not require the signature of recipient indicating actual receipt.

Network Provider: Any provider that receives Medicaid funding directly or indirectly to order, refer, or render covered services as a result of the state's contract with the NMRE, its member CMHSPs, and the Substance Use Disorder provider panel.

Personnel: Anyone working for the Northern Michigan Regional Entity (NMRE) and whose salary is paid by the NMRE and members of the NMRE Board of Directors and NMRE Substance Use Disorder Oversight Policy Board.

Public display: To exhibit, hold up, post, or make visible or set out for open view, including, but not limited to, open view on a computer device, computer network, website, or other electronic medium or device, to members of the public, or in a public manner

Title IV-D agency: The organizational unit in the State that has the responsibility for administering or supervising the administration of a State plan for child support enforcement under title IV-D of the Social Security Act.

Purpose

The purpose of the policy is to comply with the Social security number Privacy Act, MCL 454 of 2004.

Policy

The NMRE will maintain the confidentiality of, prohibit unlawful disclosure of, limit access to, and to the extent practical, appropriately dispose of documents that contain, or may reasonably be thought to contain, Social security numbers. Social security numbers collected in the normal course of business will only be used as allowed by the Social security number Privacy Act or by state or federal statute, rule, or regulation, by court order or rule, or pursuant to legal discovery or process.

Other Related Policies

1. NMRE Disclosure of Ownership
2. NMRE Excluded Provider Checks
3. NMRE Freedom of Information Act
4. NMRE Record Retention and Disposal

Approval Signature



NMRE Chief Executive Officer

3/2/20

Date

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Procedure: <input checked="" type="checkbox"/>	Author: NMRE Compliance Coordinator		

Procedure

A. Except as authorized or required by state or federal statute, rule, or regulation, by court order or rule, or pursuant to legal discovery or process, the NMRE will not intentionally do any of the following with the Social security number of any personnel, contractor, student, beneficiary, or individual:

1. Publicly display all or more than four (4) sequential digits of the Social security number; including visibly print all or more than four (4) sequential digits of the Social security number on any identification badge, time card, pay voucher/timesheet, or any other materials that may be accessed by the public.
2. Use all or more than four (4) sequential digits of the Social security number as the primary account number or identification number for an individual.
3. Require an individual to transmit more than four (4) sequential digits of his/her Social security number to use/gain access to the internet/intranet, computer system, or network unless the connection is secure, or password protected, or the transmission is encrypted.
4. Send an envelope or package if a Social security number is visible on the envelope or package or, without manipulation, can be seen from outside the envelope or packaging. NMRE will not include all or more than four (4) sequential digits of Social security numbers in/on any document or information mailed or otherwise sent to an individual unless, state or federal law, rule, regulation, or court order/rule authorizes, permits, or requires that a Social security number appear in the document. Exceptions may include where:
 - a. The document is sent as part of an application, enrollment process, or requested by the beneficiary, parent, or legal guardian.
 - b. The document is sent to establish, confirm the status of, service, amend, or terminate an account, contract, policy, or employee or health insurance benefit or to confirm the accuracy of a social security number of an individual who has an account, contract, policy, or employee or health insurance benefit.

- c. The document or information is mailed under any of the following circumstances:
 - i. The document or information is a public record and is mailed in compliance with the Freedom of Information Act.
 - ii. The document or information is a copy of a public record filed or recorded with a county clerk or register of deeds office and is mailed by that office to a person entitled to receive that record.
 - iii. The document or information is a copy of a vital record recorded as provided by law and is mailed to a person entitled to receive that record.
 - iv. The document or information is mailed by or at the request of an individual whose social security number appears in the document or information or his or her parent or legal guardian.
 - v. The document or information is mailed in a manner or for a purpose consistent with state or federal statute, rule, or regulation, namely those having to do with privacy rules for insurance and financial institutions.
- 5. Include more than four (4) sequential digits of the social security number in responses to Freedom of Information Act (FOIA) requests. Social security number will be redacted or removed/struck/covered from view. The information will then be mailed in compliance with the FOIA.

Social security numbers will be included in full if the FOIA meets one of the following:

 - a. A use of all or more than four (4) sequential digits of a social security number that is authorized or required by state or federal statute, rule, or regulation, by court order or rule, or pursuant to legal discovery or process.
 - b. A use of all or more than four (4) sequential digits of a social security number by a title IV-D agency, law enforcement agency, court, or prosecutor as part of a criminal investigation or prosecution, or providing all or more than four (4) sequential digits of a social security number to a title IV-D agency, law enforcement agency, court, or prosecutor as part of a criminal investigation or prosecution.
- 6. Store documents that contain Social security numbers in an unsecure manner. The NMRE will take appropriate steps to secure such records when not in immediate use. Social security numbers will not be visible on electronic devices that are not secure/password protected and/or encrypted. Documents that contain Social security numbers will be retained in accordance with the requirements of state and federal laws. At the time documents that contain Social security numbers may be disposed of, that disposal will be accomplished in a manner that protects the confidentiality of the number, such as shredding, demagnetization, and/or eraser of electronic storage
- B. It is not a violation of the Social security number Privacy Act to use all or more than four (4) sequential digits of a social security number if the use is any of the following:

1. An administrative use of all or more than four (4) sequential digits of the social security number in the ordinary course of business, by a person or a vendor or contractor of a person, to do any of the following:
 - a. Verify an individual's identity, identify an individual, or do another similar administrative purpose related to an account, transaction, product, service, or employment or proposed account, transaction, product, service, or employment.
 - b. Investigate an individual's claim, credit, criminal, or driving history.
 - c. Detect, prevent, or deter identity theft or another crime.
 - d. Lawfully pursue or enforce a person's legal rights, including, but not limited to, an audit, collection, investigation, or transfer of a tax, employee benefit, debt, claim, receivable, or account or an interest in a receivable or account.
 - e. Lawfully investigate, collect, or enforce a child or spousal support obligation or tax liability.
 - f. Provide or administer employee or health insurance or membership benefits, claims, or retirement programs or to administer the ownership of shares of stock or other investments.
2. A use of all or more than four (4) sequential digits of a social security number as a primary account number that meets both of the following:
 - a. The use began before the effective date of the Social security number Privacy Act.
 - b. The use is ongoing, continuous, and in the ordinary course of business. If the use is stopped for any reason, this subdivision no longer applies.

C. The NMRE will ensure that access to Social security numbers is limited to individuals who have a need to know requirement for the information. Any access contrary to a need to know requirement, as determined by the NMRE Chief Executive Officer, will be subject to the HIPAA Offense and Sanctioning Guidelines (up to and including discharge). Additionally, certain violations of the Act carry criminal and/or civil sanctions and will involve law enforcement where indicated. Documentation of violations shall be maintained by the NMRE Compliance Coordinator, Privacy Officer, Security Officer, and/or Human Resources Department, where indicated.

Approval Signature



NMRE Chief Executive Officer

3/2/20

Date