

FREQUENTLY ASKED QUESTIONS CMS Social Security number requirements

Following an act passed by Congress in late 2007, the Centers for Medicare and Medicaid (CMS), a governmental organization that oversees Medicare and Medicaid plans, is now requiring that all health insurance companies nationwide collect Social Security numbers for certain medical plan subscribers and their dependents.

This FAQ document was created to help answer any questions you may have about this requirement and how ODS will work with you to be compliant.

1. Why do you need our employees' Social Security numbers?

In late 2007, Congress passed the Medicare, Medicaid and State Children's Health Insurance Program Extension Act of 2007. This act requires all group health plans to submit information to the Centers for Medicare & Medicaid Services (CMS) such as:

- Total employee count
- Employer tax ID number
- Subscriber employment status
- Social Security numbers for certain individuals who may be, or are Medicare-eligible members (including subscribers, their enrolled spouses or domestic partners and certain dependents)

2. How will you be collecting the numbers?

The ODS Marketing Department will contact group administrators to request the Social Security numbers we need to submit to CMS.

3. Whose numbers will you be collecting?

We will be collecting Social Security numbers for all medical subscribers and their enrolled spouses or partners and certain dependents age 40 and older. Previously we collected Social Security numbers for all medical subscribers and their enrolled spouses or partners and certain dependents age 50 and older. We will continue to collect, Social Security numbers for members of any age known to be Medicare eligible due to age or disability, and members of any age who have received dialysis or a kidney transplant.

4. When will you be collecting our group's numbers?

At this time, if any Social Security numbers are needed for members of your group, we will send you a list this summer. Going forward, we will conduct quarterly reviews. If any additional Social Security numbers are needed, (for example, as members meet the age threshold) we will request those numbers from you at that time.

5. How will this new regulation affect my group?

Primarily, you will need to share the Social Security numbers only for the list of employees that you will receive from ODS.

Secondarily, this new regulation has the potential to affect all of us because of stiff fines. CMS will fine ODS \$1,000 per member per day for any missing or incomplete Social Security numbers. By working together, we can ensure that CMS receives all of the required numbers and plan rates won't be affected.

6. What penalties are there for groups who don't provide employee Social Security numbers?

Claims may be delayed for members who have not provided their requested Social Security numbers by the deadline. Additionally, plan rates may be affected because the health insurance company will be fined \$1,000 per member per day by CMS for not reporting member Social Security numbers of Medicare-eligible members. Such stiff fines could affect a group's overall plan rates. By working together, we can ensure that plan rates aren't affected by this change.

7. Will the employer be fined if its members won't provide their Social Security numbers?

It depends. Self-funding groups (ASOs) will be responsible for any fines resulting from noncompliance within their group.

If you are a fully insured group, the health insurance company will be fined \$1,000 per member per day by CMS for not reporting member Social Security numbers of Medicare-eligible members. However, such stiff fines would affect a group's overall plan rates. By working together, we can ensure that plan rates aren't affected by this change. Additionally, past the required deadline, claims may be delayed for members who still have not provided their requested Social Security numbers.

8. What happens if a member won't provide their number?

Claims may be delayed for members who still have not provided their requested Social Security numbers, and because of the high fine from CMS, this may affect plan rates.

9. Do other insurance companies have the same requirement?

Yes. The act that Congress passed mandated that all health plans nationwide, without exception, must adhere to this new regulation for medical plan members and their dependents.

10. Will you be collecting dependents' Social Security numbers?

If dependents fall into one of the following categories, we will be collecting their Social Security numbers:

- Current members ages 40 and older
- Members known to be Medicare eligible due to age or disability
- Members of any age who have received dialysis or a kidney transplant

11. How will the Social Security numbers be used?

ODS will be providing the numbers to CMS per the legal requirement in a secure, Health Insurance Portability and Accountability Act (HIPAA)-compliant manner. ODS will not share Social Security numbers for any other reason.

12. Are there new enrollment forms for renewing or new groups?

Yes. Our new medical enrollment forms can be found on the [ODS website](#). The new enrollment forms require Social Security numbers for the subscriber and spouse.