

# Limiting the Use of the Social Security Number in Healthcare. Appendix C: State Legislation Restricting SSN Use

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Note: This appendix is based on "Appendix III: Examples of Enacted State SSN Legislation Restricting Use" in Barbara D. Bovbjerg's "Federal and State Laws Restrict Use of SSNs, yet Gaps Remain" from the Government Accountability Office, September 15, 2005. [www.gao.gov/new.items/d051016t.pdf](http://www.gao.gov/new.items/d051016t.pdf). It should not be considered inclusive.

State (year passed)	Code Section	Summary of Key Provisions
Arizona (2004)	Ariz. Rev. Stat. § 44-1373	Generally prohibits any person or entity from (1) intentionally communicating or otherwise making an individual's SSN available to the general public; (2) printing an individual's SSN on any card required to receive products or services; (3) requiring an individual to transmit his or her SSN over the Internet unless the number is encrypted or the connection is secure; (4) requiring the use of an SSN to access an Internet Web site unless a password or other security device is used; and (5) printing an individual's SSN on any material to be mailed to the individual, unless the inclusion of the SSN is required by law.
Arkansas (2005)	Ark. Code Ann. § 4-86-107	Generally prohibits any person or entity from (1) publicly posting or displaying an individual's SSN in any manner; (2) printing an individual's SSN on any card required to receive products or services; (3) printing an individual's SSN on a postcard or in any other manner by which the SSN is visible from the outside; and (4) requiring an individual to transmit his or her SSN over the Internet unless the number is encrypted or the connection is secure.
Arkansas (2005)	Ark. Code Ann. § 6-18-208	Generally prohibits schools and school districts from using, displaying, releasing, or printing a student's SSN or any part thereof on any report, ID card or badge, or any document that will be made available to the public, a student, or a student's parent or guardian without the express written consent of the parent, if the student is a minor, or the student if the student is 18 years of age or older.
California (2001)	Cal. Civ. Code § 1798.85	Generally prohibits any person or entity from (1) publicly posting or displaying an individual's SSN in any manner; (2) printing an individual's SSN on any card required to receive products or services; (3) requiring an individual to transmit his or her SSN over the Internet unless the number is encrypted or the connection is secure; (4) requiring the use of an SSN to access an Internet Web site unless a password or other security device is used; and (5) printing an individual's SSN on any material to be mailed to the individual, unless the inclusion of the SSN is required by law.

California (2004)	Cal. Fam. Code § 2024.5	Authorizes a petitioner or respondent to redact SSNs from pleadings, attachments, documents, or other material filed with the court pursuant to a petition for dissolution of marriage, annulment, or legal separation, except as specified. Requires that filing forms contain a notice of the right to redact SSNs.
Colorado (2003)	Colo. Rev. Stat. § 23-5- 127	Requires each institution of higher education to assign a unique identifying number to each student enrolled at the institution. Prohibits the use of a student's SSN as the unique identifying number. Requires institutions of higher learning to take reasonable and prudent steps to ensure the privacy of students' SSNs.
Connecticut (2003)	Conn. Gen. Stat. § 42-470	Generally prohibits any person or entity, except government entities, from (1) publicly posting or displaying an individual's SSN in any manner; (2) printing an individual's SSN on any card required to receive products or services; (3) requiring an individual to transmit his or her SSN over the Internet unless the number is encrypted or the connection is secure; and (4) requiring the use of an SSN to access an Internet Web site unless a password or other security device is used.
Connecticut (2004)	Conn. Gen. Stat. § 8-64b	Prohibits entities purchasing all or part of a housing project from a housing authority from disclosing to the public tenant SSNs or bank account numbers contained in lease agreements.
Delaware (2004)	Del. Code Ann., tit. 7 § 503	Ensures that SSNs provided by hunting, fishing, and trapping license holders would not be released to the public.
Florida (2005)	Fla. Stat. ch. 97.0585 <sup>1</sup>	Exempts a voter's SSN, driver's license number, state identification number, and signature from the public disclosure laws.
Georgia (2004)	Ga. Code Ann. § 50-18-72	Provides that public disclosure shall not be required for records that would reveal the home address or telephone number, SSN, or insurance or medical information of certain state employees.
Hawaii (2005)	Haw. Rev. Stat. § 12-3 <sup>2</sup>	Prohibits the use of a registered voter's SSN as identifying information on candidate nomination papers.
Illinois (2004)	815 Ill. Comp. Stat. 505/2QQ <sup>3</sup>	Generally prohibits any person or entity from (1) publicly posting or displaying an individual's SSN in any manner; (2) printing an individual's SSN on any card required to receive products or services; (3) requiring an individual to transmit his or her SSN over the Internet unless the number is encrypted or the connection is secure; (4) requiring the use of an SSN to access an Internet Web site unless a password or other security device is used; and (5) printing an individual's SSN on any material to be mailed to the individual, unless the inclusion of the SSN is required by law.

Indiana (2005)	Ind. Code § 4-1-10-1 et seq.	Generally prohibits a state agency from disclosing an individual's SSN, unless otherwise required by law.
Indiana (2005)	Ind. Code § 9-24-6-2; § 9-24-9-2; § 9-24-11-5; § 9-24-16-3	Removes the requirement that SSNs be displayed on commercial driver's licenses. Requires that applications for driver's licenses, permits, and identification cards allow applicants to indicate whether the SSN or another distinguishing number shall be used on the license, permit, or identification card, and prohibits the use of the SSN if the applicant does not indicate a preference.
Louisiana (2004)	La. Rev. Stat. Ann. 9:5141; 35:17	Requires that only last four digits of SSN appear on mortgage records and notarial acts.
Maryland (2005)	Md. Code Ann., Com. Law § 14-3301 et seq. <sup>4</sup>	Generally prohibits any person or entity, except government entities, from (1) publicly displaying or posting an individual's SSN; (2) printing an individual's SSN on any card required to receive products or services; (3) requiring an individual to transmit his or her SSN over the Internet unless the number is encrypted or the connection is secure; (4) initiating the transmission of an individual's SSN unless the connection is secure; (5) requiring the use of an SSN to access an Internet Web site unless a password or other security device is used; (6) printing an individual's SSN on any material to be mailed to the individual, unless the inclusion of the SSN is required by law; (7) electronically transmitting an individual's SSN unless the connection is secure or the SSN is encrypted; and (8) faxing an individual's SSN to that individual.
Michigan (2004)	Mich. Comp. Laws § 445.81 et seq.	Generally prohibits any person or entity from (1) publicly posting or displaying more than four sequential digits of an individual's SSN; (2) using more than four sequential digits of an individual's SSN as the primary account number for an individual; (3) visibly printing more than four sequential digits of an individual's SSN on any identification badge or card, membership card, or permit or license; (4) requiring an individual to transmit more than four sequential digits of his or her SSN over the Internet unless the number is encrypted or the connection is secure; (5) requiring the use of more than four sequential digits of an individual's SSN to access an Internet Web site unless a password or other security device is used; and (6) printing more than four sequential digits of an individual's SSN on any material to be mailed to the individual.
Minnesota (2005)	Minn. Stat. § 325E.59 <sup>5</sup>	Generally prohibits any person or entity, except government entities, from (1) publicly posting or displaying an individual's SSN in any manner; (2) printing an individual's SSN on any card required to receive products or services; (3) requiring an individual to transmit his or her SSN over the Internet unless the number is encrypted or the connection is secure; (4) requiring the use of an SSN to access an Internet Web site unless a password or other security device is used; and (5) printing an individual's SSN on any material to be mailed to the individual, unless the inclusion of the SSN is required by law.
Missouri (2003)	Mo. Rev. Stat. § 407.1355	Generally prohibits any person or entity, except government entities, from (1) publicly displaying or posting an individual's SSN, including any activity that would make the SSN available to an individual's coworkers, (2) requiring an individual to transmit his or her SSN over the Internet unless the number is encrypted or the connection is secure, (3) requiring the

		use of an SSN to access an Internet Web site unless a password or other security device is used, and (4) requiring an individual to use his or her SSN as an employee number.
Nevada (2005)	Nev. Rev. Stat. Chapter 239; Chapter 239B; Chapter 603	Requires a governmental entity, except in certain circumstances, to ensure that SSNs in its books and records are maintained in a confidential manner. Prohibits the inclusion of SSNs in certain documents that are recorded, filed, or otherwise submitted to a governmental agency. Requires governmental agencies or certain persons who do business in the state to notify individuals if personal information is reasonably believed to have been acquired by an unauthorized person.
New Jersey (2005)	N.J. Stat. Ann. § 47:1-16	Prohibits any person, including any public or private entity, from printing or displaying in any manner an individual's SSN on any document intended for public recording with any county recording authority. Provides that, in the case of certain documents, the county recording authority is authorized to delete, strike, obliterate or otherwise expunge an SSN that appears on the document without invalidating it.
New Mexico (2003)	N.M. Stat. Ann. § 57-12B-1 et seq.	Prohibits a business from requiring a consumer's SSN as a condition for the consumer to lease or purchase products, goods or services from the business. A company acquiring or using SSNs of consumers shall adopt internal policies that (1) limit access to the SSNs to those employees authorized to have access to that information to perform their duties; and (2) hold employees responsible if the SSNs are released to unauthorized persons.
North Dakota (2003)	N.D. Cent. Code § 39-06-14	Prohibits the use of SSNs on driver's licenses.
Oklahoma (2004)	Okla. Stat. tit. 40, § 173.1	Generally prohibits employing entity from (1) publicly displaying or posting an employee's SSN; (2) printing the SSN of an employee on any card required for the employee to access information, products, or services; (3) requiring an employee to transmit his or her SSN over the Internet unless the number is encrypted or the connection is secure; (4) requiring an employee to use an SSN to access an Internet Web site unless a password or other security device is used; and (5) printing an employee's SSN on any materials mailed to the employee, unless the SSN is required by law to be in the materials.
Rhode Island (2004)	R.I. Gen. Laws § 6-13-19	Prohibits any person, firm, corporation, or other business entity that offers discount cards for purchases made at any business maintained by the offeror from requiring that a person who applies for a discount card furnish his or her SSN or driver's license as a condition precedent to the application for the consumer discount card.
South Carolina (2004)	S.C. Code Ann. § 7-5-170	SSNs provided in voter registration applications must not be open to public inspection.

South Dakota (2005)	S.D. Codified Laws § 32-12-17.10; § 32-12-17.13	Prohibits the display of SSNs on driver's licenses or non-driver's identification cards and the use of electronic barcodes containing SSN data.
Texas (2005)	Tex. Bus. & Com. Code Ann. 35.48	Requires that businesses disposing of business records containing a customer's personal identifying information must modify, by shredding, erasing, or other means, the personal identifying information to make it unreadable or undecipherable.
Texas (2003)	Tex. Bus. & Com. Code Ann. 35.58	Generally prohibits any person or entity, except government entities, from (1) intentionally communicating an individual's SSN to the general public; (2) printing an individual's SSN on any card required to access or receive products or services; (3) requiring an individual to transmit his or her SSN over the Internet unless the number is encrypted or the connection is secure; (4) requiring the use of an SSN to access an Internet Web site unless a password or other security device is used; and (5) printing an individual's SSN on any materials mailed to the individual, unless the SSN is required by law to be in the materials.
Texas (2003)	Tex. Elec. Code Ann. § 13.004	Provides that an SSN, Texas driver's license number, or number of a personal identification card furnished on a voter registration application is confidential and does not constitute public information. Requires the registrar to ensure that such personal data are excluded from disclosure.
Utah (2004)	Utah Code Ann. § 31A-21-110	Prohibits insurers from publicly posting an individual's SSN in any manner or printing an individual's SSN on any card required for the individual to access products or services provided or covered by the insurer.
Virginia (2005)	Va. Code Ann. § 59.1-443.2	Generally prohibits any person or entity from (1) intentionally communicating an individual's SSN to the general public; (2) printing an individual's SSN on any card required to access or receive products or services; (3) requiring the use of an SSN to access an Internet Web site unless a password or other security device is used; and (4) mailing a package with the SSN visible from the outside.
Wisconsin (2003)	Wis. Stat. § 36.32	Prohibits private institutions of higher education from assigning to any student an identification number that is identical to or incorporates the student's SSN.
West Virginia (2003)	W. Va. Code § 17E-1-11	Removes the requirement that an SSN appear on commercial driver's license.

## Notes

1. As currently codified, Fla. Stat. ch. 97.0585 does not contain the provisions summarized here. The changes will take effect on January 1, 2006.
2. Not yet codified.
3. The provisions summarized here are codified, but will not take effect until July 1, 2006.

4. Not yet codified.

5. Not yet codified.

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