

Instruction

Identification Number GN 03360 TN 10 **Effective Date:** 4/26/2019

Intended Audience: See Transmittal Sheet

Originating Office: Office of the General Counsel

Title: Privacy Act Administration, Communication and Other Procedures

Type: POMS Transmittals

Program: All Programs

Link To Reference:

SENSITIVE - NOT TO BE SHARED WITH THE PUBLIC

PROGRAM OPERATIONS MANUAL SYSTEM
Part GN – General
Chapter 033 – Disclosure/Confidentiality of Information
Subchapter 60 – Privacy Act Administration, Communication and Other Procedures
Transmittal No. 10, 04/26/2019

Audience

PSC: CA, CS, DE, DEC, DS, ICDS, IES, ISRA, PETE, RECONR, SCPS, TSA, TST;
OCO-OEIO: BTE, BTE TE, CR, CTE, CTE TE, EIE, FCR, FDE, RECONR, RECOVER;
OCO-ODO:
 BET, BTE, BTE TE, CR, CST, CTE, CTE TE, DE, DEC, DS, IS, PAS, PETE, PETL, RCOVTA, RECONR, RECOVER;
OEO: DOSPA, OSSPA, WBDOSPA;
ODD-DDS: DHU;
FO/TSC: CS, CS TII, CS TXVI, CSR, CTE, FR, OS, RR, TA, TSC-CSR;

Originating Component

OPD

Effective Date

Upon Receipt

Background

This is a Quick Action Transmittal. We are not changing or introducing new policy or procedure.

Summary of Changes

[GN 03360.005 Releasing Information by Telephone](#)

We are now designating this subsection "Sensitive," as it contains all of the identification elements a person needs to make an access request.

[GN 03360.005 Releasing Information by Telephone](#)

A. Policy

1. General

a. Authorized Disclosures

Although authorized disclosures of information are usually in writing, it is permissible to disclose information over the telephone if appropriate measures are taken to assure that the requester is entitled to receive it.

CAUTION: Under no circumstances can medical records be released over the telephone even if the caller provides (b) (7)(E).

b. Prohibition Against Disclosure/Access When Caller Does Not Provide (b) (7)(E)

Increases in the availability of personal information and in identity theft have caused SSA to be especially careful when disclosing information over the telephone when a requester cannot provide (b) (7)(E). Consequently, neither SSNs nor any other personal information should be released over the telephone, by FAX, or by mail as a result of a telephone request when the caller cannot provide (b) (7)(E).

NOTE: (b) (7)(E)

c. Identifying the Individual of Record Calling for Himself or Herself When Caller is a Claimant/Beneficiary

A claimant/beneficiary requesting access to information about him/her via the telephone must provide the following information to establish his/her identity:

- (b) (7)(E) [Redacted]
- (b) (7)(E) [Redacted]
- (b) (7)(E) [Redacted]
- (b) (7)(E) [Redacted]
- (b) (7)(E) [Redacted]

(b) (7)(E)

See [GN 03380.005B.2.](#) for the chart containing identity verification requirements.

NOTE: (b) (7)(E)

When Caller is NOT a Claimant/Beneficiary

When the caller is not a claimant/beneficiary, he/she must provide all of the information discussed in [GN 03360.005A.1.](#) about the individual of record except (b) (7)(E)

2. Requests for Tax Return Information

Tax return information cannot be released over the telephone in situations where a caller is initiating contact with SSA.

However, tax information may be released by telephone in connection with a pending claim or an earnings record discrepancy case which is already in progress. This includes cases where an individual calls to question the accuracy of an earnings record.

NOTE: (b) (7)(E)

EXAMPLE: An individual who has received an earnings statement may call to inquire about the earnings shown on the statement. This subject may be discussed as necessary to resolve or clarify the question. However, if the individual asks for information about years that are not shown on the statement, this information cannot be disclosed by telephone.

3. Requests from Subject Individuals

Providing access to the individual who is the subject of the record is usually required, as long as appropriate measures are taken to ensure the caller's identity. These measures are described in [GN 03340.015B.3.](#)

An individual with a hearing or speech impairment may call SSA to request access to his or her records with the assistance of a telephone relay system operator. This request should be honored as long as the individual's identity is established. See [GN 03380.005B.2.](#) for the chart containing identity verification requirements.

(Also see [GN 03340.000](#) for a discussion of situations in which access to records by the subject individual may be denied.)

4. Requests from Family Members

a. Requests from Parents of Minor Children

A request for information from a child's record by the child's parent is an access request which must be honored, as long as it is clear that the parent is acting on the child's behalf.

See [GN 03380.005B.2.](#) for the chart containing identity verification requirements.

NOTE: A parent's request for a child's SSN or verification of a child's SSN for income tax purposes is considered to be on the child's behalf. During tax filing periods, SSA may receive an increase in the number of telephone requests from parents for their children's SSNs or verifications of their children's SSN. The policy cited in [GN 03360.005A.1.b.](#), [GN 03360.005A.1.c.](#) and [GN 03340.015B.3.](#) pertaining to situations in which the caller does not provide (b) (7)(E) applies to these calls.

b. Requests from Other Family Members

No personal information from a beneficiary's record (such as benefit amounts) may be disclosed to other family members without proper consent. Only general program information about Social Security benefits may be disclosed.

5. Requests from Representative Payees

As explained in [GN 03316.120](#), information may be disclosed to a representative payee when he/she needs it to perform the duties of a payee. However, the payee's identity must first be verified.

See [GN 03380.005B.2.](#) for the chart containing identity verification requirements.

6. Requests from Legal Guardians

Legal guardians may have access to records pertaining to the individuals they represent. However, disclosure to a guardian may be made only if his/her identity and status as a guardian can be established. See [GN 03380.005B.2.](#) for the chart containing identity verification requirements.

EXAMPLE: If a call is received in a field office, (b) (7)(E)

7. Requests from Employers

a. SSN Information

Only a positive verification of an employee's SSN may be given to an employer. The employer must provide (b) (7)(E). If the information matches, you can advise the employer that according to our records the SSN given was assigned to the name given.

NOTE: (b) (7)(E)

b. Other Information

Because of the difficulty of proving identity, personal information may not be disclosed to employers. Employers who need personal information about employees should be asked to submit their request in writing. See [GN 03380.010B.2.](#) for the chart containing identity verification requirements.

NOTE: (b) (7)(E)

8. Requests from Government Agencies

Disclosure by telephone is permitted for information needed by Federal, State, and local agencies which administer income and health maintenance programs (described in [GN 03313.000](#) and [GN 03314.000](#)).

However, the identity of the caller must be certain. See [GN 03380.010B.2](#) for the chart containing identity verification requirements. (b) (7)(E)

Disclosure to government agencies which do not administer income or health maintenance programs should not be made by telephone.

However, in certain emergency situations in which an immediate response is required (such as in cases which could affect an individual's health or safety), the FO may disclose information by telephone pending receipt of the written request. In such situations the FO must be sure of the identity of the caller. These instances should be very rare.

9. Requests from Third Party Filers (Non-Proper Applicants)

A third party non-proper applicant who demonstrates clear intent to file is permitted to establish an appointment to file an application for benefits on behalf of a claimant. The third party may only reschedule or cancel the claims appointment if he or she originally established that appointment. In order to reschedule or cancel the previously established appointment, the third party must provide (b) (7)(E). The information provided by the Third Party filer must exactly match the information previously documented in the 800 Number System.

NOTE: (b) (7)(E)

B. Procedure

When a person calls SSA to obtain personal information from our records, take steps to verify the person's identity.

1. Caller is an SSA Employee from Another Office

(Personal information may be freely disclosed by telephone within SSA based on "need to know," i.e., when an employee needs the information to perform his or her duties.)

If the person requesting information is an SSA employee whom you know, and you are certain of his or her identity, disclose the information without further development.

If you do not know the caller, verify his or her identity using (b) (7)(E) which is described in [MSOM QUERIES 005.010](#). Once the identifying data has been verified by (b) (7)(E) release the information.

If the data does not match the information on the system, but the caller still maintains that he or she is an SSA employee, (b) (7)(E)

See [GN 03380.010B.2](#) for the chart containing identity verification requirements.)

Refer any suspected bogus calls to your supervisor for necessary action.

2. The Caller is Not an SSA Employee

a. Verifying Identity

In cases where the caller is not an SSA employee, verify identity using (b) (7)(E)

. A list of the required identifying data in various situations is given in [GN 03360.005B.4](#). See also [GN 03360.005A.1.c](#). See [GN 03380.010B.2](#). for the chart containing identity verification requirements.)

After checking the data provided by the caller against SSA's records, decide whether you have satisfactory verification of the caller's identity.

- If the identity is established, release the requested information.
- If you cannot verify identity, tell the caller that the written consent of the subject individual is necessary prior to disclosure.

NOTE: (b) (7)(E)

b. Exceptions

Do not disclose over the telephone if there is any doubt about whether disclosure is appropriate, or if sensitive information is involved. Instead, have the requester submit the request in writing.

EXAMPLES: (b) (7)(E) are considered sensitive information which cannot be released by telephone.

3. Data Used to Verify Identity

The specific types of information you may use to verify a caller's identity will vary somewhat, depending on what part of SSA's records you will have to access. In all cases, there are certain mandatory items which a caller must be able to provide. Ask for as much additional data as you need to verify identity.

Additional data may include (when applicable) the caller's or the beneficiary's:

(b) (7)(E)

(b) (7)(E)

(b) (7)(E)

(b) (7)(E)

(
b
) [Redacted]

In cases where you ask the caller to provide a:

- (b) (7)(E) [Redacted]

- (b) (7)(E) [Redacted]

See [RM 00499.004](#) (b) (7)(E) [Redacted].

4. Situations Requiring Identification

Follow the instructions below for situations requiring identification of the caller.

a. The Caller is the Individual of Record Calling for Himself or Herself

If the caller is a beneficiary or claimant, ask for (b) (7)(E) [Redacted]

If the caller is not a beneficiary or claimant, ask for (b) (7)(E) [Redacted]
ee [GN 03380.005B.2](#). for the chart containing identity verification requirements.

b. The Caller is a Parent Calling on Behalf of a Minor Child

Access to the record may only be provided if the parent is calling on behalf of the minor child (see [GN 03340.025A.](#)).

To identify the caller, ask for (b) (7)(E) [Redacted]

To identify the child:

- If the child is a beneficiary, ask for (b) (7)(E) [Redacted]

- If the child is not a beneficiary, ask for (b) (7)(E) [Redacted]

See [GN 03380.005B.2.](#) for the chart containing identity verification requirements.

c. The Caller is a Representative Payee

REMINDER: Disclosure is limited to information needed to perform the payee's responsibilities).

•

Individual Payee

To identify the payee and the beneficiary, ask for (b) (7)(E)

[REDACTED]

•

Organizational Payee

To identify the caller representing an organizational payee (e.g. nursing home or social agency), ask for (b) (7)(E)

[REDACTED] [GN 03360.005B.4.c.](#) (b) (7)(E)

See [GN 03380.010B.2.](#) for the chart containing identity verification requirements.

d. The Caller is a Third Party Calling for an Individual Who is Present and Gives Oral Permission (see GN 03340.005B.4.)

Identification of the caller is unnecessary. Verify from the subject individual that he or she gives oral permission to receiving assistance in obtaining access to his or her records.

To identify the subject individual, ask for (b) (7)(E)

[REDACTED]

e. The Caller is an Authorized Representative (Attorney or Non-attorney)

To identify the caller/representative, verify that the subject individual has authorized this representative (b) (7)(E)

[REDACTED] (b) (7)(E)

To identify the beneficiary/claimant, ask for (b) (7)(E)

[REDACTED]

See [GN 03380.010B.2.](#) for the chart containing identity verification requirements.

f. The Caller is Working for Another Federal, State, or Local Government Agency

Disclose information only to certain government agencies. If the agency in question meets the requirements outlined in [GN 03313.000](#) and [GN 03314.000](#), disclose information if you know the individual and are certain of his or her identity. If the caller's identity is unknown or uncertain, verify by (b) (7)(E)

[REDACTED] See [GN 03380.010B.2.](#) for the chart containing identity verification requirements.

g. The Caller is a Third Party Other Than One of the Parties Listed Above

Tell the caller that the written consent of the subject individual is necessary prior to disclosure.

REMINDER: Disclosure of personal information by telephone to a third party is normally not permitted in any other situations.

GN 03360 TN 10 - Privacy Act Administration, Communication and Other Procedures - 4/26/2019

Link to this document:

(b) (2)