



**NEW YORK STATE
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE
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David A. Paterson
Governor**

Local Commissioners Memorandum

Section 1

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| Transmittal: | 10-LCM-11 |
| To: | Commissioners, Temporary Assistance Directors, Food Stamp Directors, Medical Assistance Directors, Welfare Management System Coordinators, Home Energy Assistance Program Coordinators, Adult Services Directors, Child Care and Services Directors, and Child Support Directors |
| Issuing Division/Office: | Office of Temporary and Disability Assistance/Center for Employment and Economic Supports |
| Date: | July 7, 2010 |
| Subject: | State On-Line Query (SOLQ) System: Policy Guidelines, Ongoing Audit Responsibilities, and Information Security |
| Contact Person(s): | SSI Questions – SSI Bureau (518) 473-0332 Audit Questions - Audit and Quality Improvement (518) 402-0136 |
| Attachments: | Attachment 1: SOLQ Frequently Asked Questions |
| Attachment Available On – Line: | Yes |

Section 2

I. Purpose

The purpose of this Local Commissioners Memorandum (LCM) is to remind local departments of social services (LDSSs) of the policy guidelines regarding access to and proper use of the State On-Line Query (SOLQ) system, their ongoing audit responsibilities, and the information security guidelines.

II. Background

The SOLQ system allows authorized users to conduct real time queries against the Social Security Administration (SSA)’s databases. A worker may obtain authoritative data on an individual’s Social Security, Supplemental Security Income (SSI) and Medicare Parts A and B benefits. The worker may also validate a person’s social security number (SSN). The application is available in all local districts via CentraPort.

Each local district entered into a State On-Line Query (SOLQ) Security Agreement with the New York State Office of Temporary and Disability Assistance (OTDA) and completed the initial SOLQ application training covering the sensitivity of the information, safeguards to be followed, and penalties for misuse of the system. By signing the SOLQ Security Agreement, local districts acknowledged and agreed to:

1. Abide by all laws, rules, and agreements applicable to security, privacy, confidentiality and proper use of data;
2. Abide by the security requirements and subsequent monthly management reviews established for the SOLQ system, comply with audits of security procedures, and maintain all documents from this process at the LDSS for a period of no less than three years;
3. Staff will only be granted access to the SOLQ system if the information provided by SOLQ is needed to perform their professional duties;
4. Staff will only use the SOLQ system for legitimate business purposes specifically, for purposes related to the proper administration of DSS programs; and
5. Staff is aware that all information provided by the SOLQ system is legally confidential information and inappropriate and/or unauthorized use or redisclosure of this information may result in administrative, civil, and/or criminal penalties.

Proper Use of SOLQ

Effective January 1, 2010, a renegotiated data exchange agreement between the SSA and OTDA took effect. Under the new agreement, OTDA and LDSSs may access the SOLQ system for eligibility determinations for the following programs:

- Temporary Assistance for Needy Families (TANF) (Title IV);
- Medicaid (MA) (Title XIX);
- Unemployment Insurance (UI) ;
- Food Stamps (FS); and
- SSI and SSI State supplementation programs (Title XVI).

SOLQ ***may not*** be used for programs such as:

- Adult Protective Services;
- Home Energy Assistance Program (HEAP);
- Child Welfare; or
- Child Support Enforcement.

In addition, SOLQ may not be used for law enforcement purposes for any program, including TANF, Medicaid, Unemployment Insurance, Food Stamps and SSI. Child Support workers can access SSA data from the Federal Parent Locator Service.

Contractors/Agents

Under the data exchange agreement with SSA, user agencies must maintain a listing of all contractors/agents with access to SSA data. This listing of contractors/agents must be made available upon the request of either SSA or OTDA. While entities under contract with local departments of social services may have access to SSA data through the Welfare Management System (WMS), no such contractor is authorized to have access to SOLQ. Specifically, LDSS staff must not:

- Print SOLQ screens for anyone not employed by the LDSS;
- Fax, mail, physically give, email, telephone, orally provide or otherwise disclose any such print or the results of any SOLQ inquiry by LDSS staff to non-LDSS personnel; and
- Allow non-LDSS personnel to observe and record results of SOLQ inquiries performed by LDSS staff.

III. Program Implications

Access to and use of the SOLQ system by State and LDSS staff is strictly limited to authorized State or LDSS employees for authorized purposes only. All SOLQ inquiries made by users are monitored.

Federal and State program-specific confidentiality and information security rules prohibit unauthorized access and inappropriate dissemination of confidential information. These rules also limit the access and/or dissemination of confidential information to authorized users for legitimate business purposes.

Unauthorized access to, or release of, such data may result in civil liability and/or criminal prosecution. Individuals who access such information without authorization, or disclose it beyond authorized official purposes, may be subject to disciplinary actions and/or termination.

In lieu of SOLQ, LDSS workers may utilize the *SDX – SSI Individual Status* Screen on WMS to verify SSI income for determining eligibility and benefits for Medicaid, Food Stamps, Temporary Assistance, HEAP and other programs. This screen allows LDSS staff to access timely, authoritative information on a person's SSI status, including appeal and denial status. It also enables workers to quickly and easily access SSI information. On the local level, this appears to have improved service, decreased errors and reduced calls to SSA for SSI information.

Items posted to SSA's database are available on the *SDX-SSI Individual Status* screen within two business days and on SOLQ the next business day. When relying on the *SDX-SSI Individual Status* screen on WMS or SOLQ to verify compliance with applying and accepting SSI benefits, districts must account for the time lag that occurs from the time the individual applied to when the information is known to the electronic system. Districts have reported that in some areas of the State it may take a week or more for SSA staff to enter applications onto their systems. To prevent adverse case actions, it is important that district staff have an understanding of the timeframes commonly used by their SSA district office(s) in processing applications. Therefore, SOLQ and the *SDX-SSI Individual Status* screen should not be used to deny or discontinue benefits.

For more information on the *SDX – SSI Individual Status* screen, please refer to Local Commissioner Memorandum 07-LCM-04. The field names and codes on the screen are taken from the State Data Exchange (SDX) Reference Guide. The SDX Reference Guide can be viewed at the OTDA intranet website at the Center for Employment and Economic Supports, under Manuals or at <http://otda.state.nyenet/dta/Manuals/sdx.pdf>. For more information about the SDX Reference Guide please refer to General Information System GIS 08 TA/DC014.

Meeting Security and Audit Responsibilities

To ensure compliance with the executed SOLQ Security Agreement, OTDA's Bureau of Audit & Quality Improvement (A&QI) will conduct periodic reviews of all user agencies. User agencies are reminded that they must comply with audits of security procedures.

On May 14, 2010, A&QI released SOLQ updates for the following:

- #10-01 Responsibilities of the User Agency;
- #10-02 Quality Assurance Plan – Updated Guidelines;
- #10-03 Contact Person Responsibilities;
- #10-04 Security Auditor Responsibilities; and
- #10-05 System Administrator Responsibilities.

All SOLQ updates can be viewed at <http://otda.state.nyenet/psqi/aqc/SOLQ.asp>.

Imaging/Enterprise Document Repository (I/EDR)

Any documents that are a part of the case, including SOLQ documents, can be sent for imaging. I/EDR replicates the security standards of a hard copy case file by interfacing with WMS and confirming the user's right to access imaged information. I/EDR user roles further define which users are allowed access. Since SOLQ documents come from a secure source, they should be treated as confidential and not be photocopied or shared with other agencies. Their use should be restricted to determining initial and ongoing eligibility.

For additional questions and answers about the proper use of SOLQ and which workers are authorized to have access to SOLQ, please see the attached ***SOLQ Frequently Asked Questions*** document.

Issued By

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