



# Office of Temporary and Disability Assistance

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## Local Commissioners Memorandum

### Section 1

<b>Transmittal:</b>	24-LCM-11
<b>To:</b>	Social Services District Commissioners
<b>Issuing Division/Office:</b>	Employment and Income Support Programs
<b>Date:</b>	August 21, 2024
<b>Subject:</b>	Use of SSA Data Including Verified SSNs
<b>Contact Person(s):</b>	OTDA Information Security at <a href="mailto:otda.sm.iso@otda.ny.gov">otda.sm.iso@otda.ny.gov</a>
<b>Attachments:</b>	None

### Section 2

#### I. Purpose

The purpose of this Local Commissioners Memorandum message is to remind New York's Social Service Districts ("districts") of certain terms and conditions governing use and disclosure of records, information, or data received by New York State from the Social Security Administration (SSA) and made available to the districts for administration of programs as authorized by the federal Social Security Act ("Act") via OTDA's Welfare Management System (WMS) or any other State owned or controlled data system (collectively referred to herein as "SSA data").

#### II. Background

Under section 1137 of the Act, New York State is required to use an income and eligibility verification system to administer certain federally funded benefit programs, such as TANF, SNAP, and LIHEAP. To assist the State in determining eligibility for benefits under those programs, as well as other federally funded benefit programs, SSA verifies the Social Security number (SSN) and discloses certain data about applicants.

The use and disclosure of SSA data is governed by federal law. OTDA and the SSA have an existing Computer Matching and Privacy Protection Act (CMPPA) Agreement specifying the terms and conditions for the use and disclosure of SSA data. This agreement governs use of SSA data and bars that data from being disseminated or duplicated, including duplicating SSA data onto non-state owned systems (i.e., local district or contractor systems) without prior written permission from SSA.

As districts consider the use of new technologies to help administer their programs, such as interactive voice response (IVR), chatbots, or artificial intelligence (AI), they must ensure that all use of SSA data complies with the SSA requirements, including what is set forth in the CMPPA Agreement. It is important to note that any access or interface with the Welfare Management System (WMS) for these systems is considered access to SSA data and subject to the CMPPA. As mentioned above, the CMPPA Agreement prohibits disclosure or duplication of SSA data onto secondary systems, such as local or contractor systems without SSA approval specifically:

“The State Agency will not duplicate in a separate file or disseminate, without prior written permission from SSA, the data governed by this Agreement for any purpose other than to determine entitlement to, or eligibility for, federally funded benefits. The State Agency proposing the redisclosure must specify in writing to SSA what data are being disclosed, to whom, and the reasons that justify the redisclosure. SSA will not give permission for such redisclosure unless the redisclosure is required by law or essential to the conduct of the [SSN] matching program and authorized under a routine use. To the extent SSA approves the requested redisclosure, the State Agency will ensure that any entity receiving the redisclosed data will comply with the procedures and limitations on use, duplication, and redisclosure of SSA data, as well as all administrative, technical, and physical security requirements governing all data SSA provides electronically to the State Agency including specific guidance on safeguarding and reporting responsibilities for PII, as set forth in this Agreement and the accompanying IEAs.”

### III. Program Implications

Districts must seek SSA approval through OTDA (as required by the CMPPA Agreement) prior to duplicating or disclosing any SSA data. Applications may be sent to the [OTDA ISO Mailbox](mailto:otda.sm.iso@otda.ny.gov) at [otda.sm.iso@otda.ny.gov](mailto:otda.sm.iso@otda.ny.gov). Any application for approval must contain information about the nature and purpose of the data usage, as well as sufficient information about the system or systems where SSA data will be transferred or stored to verify compliance with the SSA systems requirements. Contracts with vendors contemplating providing access to SSA data or using new technologies which will access SSA data must comply with this requirement prior to execution. Contracts with any such vendors will also need to include other terms and conditions pertaining to confidentiality and information security as required by the SSA. In the alternative, districts may refrain from using SSA data, including verified SSNs, as part of implementing new technology or processes using non-stated owned systems.

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### Issued By:

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**Title:** Deputy Commissioner

**Division/Office:** Employment and Income Support Programs/NYS Office of Temporary and Disability Assistance