



Office of Children and Family Services

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Sheila J. Poole
Acting Commissioner

Informational Letter

Transmittal:	17-OCFS-INF-04
To:	Commissioners of Social Services Executive Directors of Voluntary Authorized Agencies
Issuing Division/Office:	Strategic Planning and Policy Development
Date:	June 13, 2017
Subject:	Release of Social Security Number of a Child in Foster Care for Section 8 Rental Assistance
Suggested Distribution:	Directors of Social Services Directors of Voluntary Authorized Agencies Foster Care Supervisors Foster Care Case Managers Staff Development Coordinators
Contact Person(s):	See Section IV.
Attachments:	OCFS-4743A, <i>Foster Parent Request for the Release of the Social Security Number of a Child in Foster Care for Purposes of Section 8 Rental Assistance</i>

Filing References,

Previous ADMs/INFs	Releases Cancelled	NYS Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
15-OCFS-ADM-13 16-OCFS-INF-02			SSL § 372 24 CFR § 5.216 24 CFR § 5.238 §475 (5) (l) of the Social Security Act [42 U.S.C. § 675 (5) (l)]		

I. Purpose

The purpose of this Informational Letter (INF) is to provide information to local departments of social services (LDSSs) and voluntary authorized agencies (VAs) on the release of the Social

Security number (SSN) of a child in foster care to his or her foster parent(s) for the purpose of recertifying or applying for Section 8 rental assistance.

II. Background

The New York State Office of Children and Family Services (OCFS) has received inquiries from various stakeholders pertaining to the release of the SSN of a child in foster care whose foster parent(s) is(are) recertifying or applying for the Section 8 rental assistance program which includes the Housing Choice Voucher Program.¹ To recertify or apply for Section 8 rental assistance, the individual members who make up the household must be verified with the SSN of each member of the assistance applicant's household.² After a thorough review of relevant federal and New York State laws and direct consultation with the Social Security Administration, OCFS has determined that there are no federal statutory impediments to disclosing the SSN number of a foster child for the purpose of a foster parent recertifying or applying for Section 8 rental assistance. In addition, Section 372 of the Social Services Law (SSL) affords the OCFS commissioner with adequate state legal authority to authorize LDSSs to disclose the SSN of a child in foster care, as set forth in this release.

III. Program Implications

The policy set forth in this release is consistent with the mutual interest of OCFS, LDSSs, and VAs to protect the financial future of children in foster care by limiting the potential for identity theft. Identity theft occurs when a person unlawfully gains access to someone's personal information and uses it for their own financial gain. Children are often targeted because they have clean credit histories and it may be many years before the theft is discovered. Children in foster care are at even higher risk of becoming victims of identity theft because their personal information passes through the hands of many individuals.

The Preventing Sex Trafficking and Strengthening Families Act (P.L. 113-183) amended federal law³ requiring a youth in foster care, 14 years of age or older, to receive his or her consumer reports (credit reports) annually, and requiring that the youth be assisted in identifying, interpreting, and resolving any inaccuracies in these reports.⁴ This provision of P.L. 113-183 assists in the identification of identity theft; however, it does not eliminate the risk that the SSN of a child in foster care may be used fraudulently. The only effective means of doing so is by limiting the disclosure of the SSN of a child in foster care. This release balances the interest of protecting children in foster care from identity theft with the necessity that the foster parent must verify the members of his or her household for purposes of recertifying or applying for Section 8 rental assistance. Such release is subject to the conditions set forth in this letter and only applies to the release of the SSN of a child in foster care for income-based Section 8 rental assistance.

If the foster parent(s) requests the SSN for a child in foster care for income-based Section 8 rental assistance:

1. The foster parent(s) must fill out form OCFS-4743A and submit the completed form to the LDSS that has legal custody of the child. **VAs are not authorized to release**

¹ Section 8 Housing Choice Voucher Program <http://www.nyshcr.org/Programs/Section8HCV/>.

² 24 CFR § 5.216.

³ §475 (5) (I) of the Social Security Act [42 U.S.C. § 675 (5) (I)].

⁴ 15-OCFS-ADM-13, *Required Annual Credit Checks for Youth and Young Adults in Foster Care 14 Years of Age and Older*.

the SSN of a child in foster care; all requests must go through the LDSS. If the foster parent's home is approved or certified through a VA, the VA may submit the completed form to the LDSS with legal custody of the child on behalf of the foster parent(s).

2. When the LDSS receives the completed OCFS-4743A, *Foster Parent Request for the Release of the Social Security Number of a Child in Foster Care for Purposes of Section 8 Rental Assistance*, it must verify that the child is placed in the care of the foster parent, that the child will reside or is projected to reside at the location for which the foster parent is recertifying or applying for Section 8 rental assistance and that the foster parent is the applicant for such rental assistance.
3. Upon verification of the above items and the approval of the request, the LDSS is authorized to record the child's SSN on the bottom of the OCFS-4743A and may either hand deliver or mail a copy of the approved OCFS-4743A to the foster parent(s) who is(are) making the request. The original signed OCFS-4743A must be kept in the child's case file.
4. If the request is not approved, the LDSS must complete the bottom of the OCFS-4743A and state the reason for disapproving the request. The LDSS may then hand deliver or mail a copy of the denied OCFS-4743A to the foster parent(s) who is(are) making the request. The original signed OCFS-4743A must be kept in the child's case file.

IV. Contacts

Any questions concerning this release should be directed to the appropriate regional office, Division of Child Welfare and Community Services:

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/s/ Thomas R. Brooks

Issued by:

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