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DIRECTOR

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Department of Health Care Services



GAVIN NEWSOM
GOVERNOR

May 4, 2022

TO: ALL COUNTY WELFARE DIRECTORS Letter No.: 22-10
ALL COUNTY WELFARE ADMINISTRATIVE OFFICERS
ALL COUNTY MEDI-CAL PROGRAM SPECIALISTS/LIAISONS
ALL COUNTY MEDS LIAISONS
ALL COUNTY CONSORTIA MANAGERS

SUBJECT: Mailing of Social Security Numbers (SSN) and Other Personal Information (PI)

The purpose of this All County Welfare Directors Letter (ACWDL) is to provide counties with information and guidance related to Assembly Bill (AB) 499, (Chapter 155, Statutes of 2020) which amends Government Code Section 11019.7.

BACKGROUND

Government Code Section 11019.7 prohibits state agencies, including Department of Health Care Services (DHCS), from sending any outgoing United States mail to individuals that contain personal information (PI) about that individual unless that PI is contained within sealed correspondence and cannot be viewed from the outside of that sealed correspondence. PI, as defined by the Information Practices Act of 1977 in California Civil Code section 1798.3(a), includes, but is not limited to:

- Individual's SSN
- Telephone Number
- Driver's License Number
- Credit Card Number

AB 499 amends Government Code Section 11019.7 by prohibiting state agencies from sending any outgoing United States mail that contains an individual's SSN unless the number is truncated to its last four digits or if the mailing is identified as exempt under the statute. Exceptions that permit mailing an individual's full SSN include, but are not limited to:

- Federal law requires the inclusion of the SSN.
- An individual erroneously mailed an original document(s) containing a SSN to a state agency and the state agency or their agent is returning the original documents to the individual via certified or registered United States mail.
- Documents sent to an individual in response to a valid request for access to a beneficiary's personal information.

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These changes must commence on or before January 1, 2023.

“Outgoing United States mail” is defined within Government Code Section 11019.7 as any correspondence sent via a common carrier, including, but not limited to, a package express service and a courier service.

POLICY

In accordance with AB 499 and Government Code Section 11019.7, counties and the Statewide Automated Welfare Systems (SAWS) must not send any outgoing correspondence through the United States mail to a Medi-Cal applicant or beneficiary that contains a SSN, unless the SSN is truncated to the last four digits. Exceptions to this policy include when the mailing is related to the exemptions listed above. For example, returning original documents submitted by the beneficiary via certified or registered United States mail is exempt from this requirement and counties should not alter SSNs on original documents.

AB 499’s requirement to truncate SSNs unless exempt applies to correspondence described by [ACWDL 19-17](#), which instructs counties that accept applicant and beneficiary signatures over the telephone to provide a confirmation receipt documenting the information provided during a telephonic application or completion of other forms. For example, if an applicant provides a full SSN as part of a telephonic application, per AB 499, the SSN must be truncated to the last four digits in any confirmation correspondence mailed to the applicant.

The SAWS, in partnership with DHCS, are expected to make system changes in order to implement necessary changes for outgoing mail in accordance with AB 499 and Government Code Section 11019.7. If SAWS is unable to implement necessary system changes by January 1, 2023, the counties and/or SAWS must implement a work-around to redact or truncate all SSNs in any outgoing mail to a Medi-Cal applicant or beneficiary.

Counties should report any mailings that violate AB 499 to DHCS using the breach and incident process outlined in the Medi-Cal Privacy and Security Agreement, issued in [ACWDL 19-16](#), or in any superseding ACWDLs.

If you have any questions, or if we can provide further information, please contact DHCS at CountyPSA@dhcs.ca.gov.

Original Signed by,

Daniel Nguyen, Acting Chief
Medi-Cal Eligibility Division