

Par.1. **Material Transmitted and Purpose** – Transmitted with this Manual Letter are changes to Service Chapter 448-01 – Administrative Procedures for Economic Assistance and Health Care Coverage Programs. This also incorporates changes made with:

- Revised IM 5162 NUMIDENT – Invalid Matches with Social Security
- 2<sup>nd</sup> Amended IM 5168 Public Assistance Reporting Information System (PARIS)
- IM 5177 Change in Run Date for Numident Verification Job
- IM 5187 Non-Discrimination

Par. 2. **Effective Date** – Changes included in this manual letter are effective November 1, 2014.

### **Definitions 448-01-10**

1. 448-01-10 – Definitions. Updated the definition of NUMIDENT to include that it can be used to verify identity, age and sex along with the individual's social security number.

**NUMIDENT** – a system interface with SSA that verifies social security numbers, identity, age and sex.

### **Responsibilities 448-01-15**

2. 448-01-15-10 - County Responsibilities. Included the requirement for a visitor log.

#### **County Responsibilities 448-01-15-10**

The county social service agencies are responsible for the administration of Economic Assistance and Health Care Coverage programs within the guidelines established by the Department. The county social service agencies are responsible for submitting accurate and timely financial and program reports as required by the Department for its direction and supervision of the programs. Counties must also provide information to the public regarding specific programs.

County social service staff are responsible for effective case management consisting of:

1. Ensuring contact with applicants or recipients is pleasant and courteous;
2. Providing assistance to applicants and recipients in completing necessary forms and obtaining required information to determine initial and ongoing eligibility.
3. Determining initial and continued eligibility for assistance programs timely, conducting interviews and verify appropriate information, applying program policy, and the prudent person concept. Only factual information relevant to the determination of eligibility will be requested and entered into the case file;
4. Providing the applicant or recipient with program information, benefit information and program requirements using the Application for Assistance Guidebook, program brochures and other available information;
5. Providing information and referral services necessary for applicants and recipients to become fully or partially self-sufficient or to resolve other issues;
6. Establishing easy access for applicants or recipient to provide information and report changes;
7. Ensuring that all reports of changes, complaints, and inquiries are responded to and acted upon promptly and accurately;
8. Maintaining and using computer systems for determining eligibility; and
9. Utilizing reports generated from eligibility systems to manage caseloads.
10. Providing casefile and all other pertinent information required for administrative reviews or audits conducted periodically by federal, state and county staff.

**NOTE:** State office staff will be responsible for obtaining information from electronic case files if available.

County social service staff who have access to Internal Revenue Service (IRS) and Social Security Administration (SSA) information received through a computer match are required to receive initial and annual safeguard training. The training includes IRS and SSA requirements, confidentiality requirements, and the Privacy Act. The training addresses statutes governing the release of such data and penalties for unauthorized access to, or unauthorized disclosure of such data.

The county social service office is responsible to ensure staff complete the training. Staff must take the training upon start of employment and annually thereafter. TECS access will be revoked for failure to complete the annual training in the allotted timeframe. The Department makes this training available through E-Learning. The training includes information regarding:

- Internal Revenue Service (IRS) requirements
- Social Security Administration (SSA) requirements
- Confidentiality and safeguarding requirements
- The Privacy Act
- Statutes governing the release of such data
- Penalties for unauthorized access to or unauthorized disclosure of such data

### **Access Log**

The county social service office is required by the Internal Revenue Service (reference Publication 1075, Section 4.3.2) to have a visitor access log to limit access to restricted areas, secure rooms and locked containers containing federal tax information (FTI) to authorized personnel only.

The visitor access log must include the following:

- Name and organization of the visitor

- Signature of the visitor  
**Note:** Visitors do not need to sign the visitors log if staff meets with the client in a visitor room outside of the secure work areas.
- Form of identification i.e. driver's license  
**Note:** If a visitor does not have identification, someone within the agency that knows the person may vouch for the person.
- Date of access
- Time of entry and departure
- Purpose of the visit
- Name and organization of the person visited

A log may be one sign in sheet or individual sign in sheets.

The visitor access log must be at the main entrance of the office area that contain FTI (i.e. eligibility workers offices, client case files, etc.) The visitor is to be escorted to and from their destination.

Each restricted area access log must be closed out at the end of each month and reviewed by a designee of the county director. The access log will be reviewed during the Quality Assurance on-site visit.

### **Use of Authorized Access List**

To facilitate the entry of employees who have a frequent and continuing need to enter a restricted area, but who are not assigned to the area, an authorized access list can be maintained so long as Minimum Protection Standards are enforced.

- Agency Employees (i.e. social work staff): The authorized access list must contain the following:
  - Name of individual
  - Agency or department name
  - Name and phone number of agency point of contact (POC)
  - Address of agency POC
  - Purpose for access

The list must be updated at least annually or when employee access changes.

- Vendors and Non-Agency Personnel (i.e. Regional Representatives, Quality Control Reviewer, mail service, etc.):  
The list must contain the following information:
  - Name of vendor/contractor/non-agency personnel
  - Name and phone number of agency POC authorizing access
  - Name and address of vendor point of contact
  - Address of vendor/contractor
  - Purpose and level of access

Vendors, contractors, and non-agency personnel list must be updated monthly.

### **Retention of the Visitor Log**

The visitor log is to be retained for one year.

3. 448-01-15-35 - Electronic Correspondence. Added a statement prohibiting emailing or faxing FTI information.

### **Electronic Correspondence 448-01-15-35**

State and county social service offices correspond electronically via fax or e-mail with applicants, recipients, other agencies and each other. Electronic correspondence must be retained for three years based on policy at Case File Destruction 448-01-40-45-10.

Program policies allow for counties to electronically correspond with applicants and recipients. Counties are not required to communicate via e-mail or to provide applicants and recipients with their e-mail address, however, if an applicant or recipient requests worker's or county's e-mail address, the state's open records law requires it be provided.

If a county does provide an e-mail address to applicants and recipients, it is recommended that the county have one e-mail address for the county where applicants and recipients send their information. This will allow for another worker to receive information when a worker is out on leave.

When accepting information via e-mail, care must be used to ensure the e-mail is from the applicant or recipient.

If a household reports a change via e-mail on a weekend, holiday or after hours, the change is considered reported on the next working day.

Should the applicant or recipient report information via e-mail, refer to program policies. All Economic Assistance and Health Care Coverage programs consider changes reported via e-mail as signed by the household with the exception of SNAP.

Faxing and emailing of FTI received through a computer match, UFO and BENDEX, is prohibited.

### **Non-Discrimination 448-01-20**

4. 448-01-20-05 – General Statement 448-01-20-05. Updated the addresses for the Civil Rights Officers. This supersedes IM 5187.

#### **General Statement 448-01-20-05**

Programs and services administered and supervised by the Department, directly or through contractual agreements, must be made available without regard to race, color, religion, national origin, age, sex, political beliefs, disability, or status with respect to marriage. These programs and services must also be accessible to persons with disabilities and comply with:

- Title I and Title II of the Americans with Disabilities Act of 1990 as amended
- Section 504 of the Rehabilitation Act of 1973 as amended
- Title VI of the Civil Rights Act of 1964 as amended
- Age Discrimination Act of 1975 as amended
- North Dakota Human Rights Act of 1983

Policies on non-discrimination can be found in 300-01 – Non-Discrimination to Client, located on the County Intranet in the 'Legal' folder.

Persons needing accommodation or who have questions or complaints regarding the provision of services according to these Acts may contact the following Civil Rights Officers:

<p>Program Civil Right Officer <u>or ADA/Section 504 Coordinator</u>  North Dakota Department of Human Services  Legal Advisory Unit's  600 E Boulevard Avenue Dept 325  Bismarck, ND 58505-0250  701-328-2311  TTY 1-800-366-6888  FAX 701-328-2173</p>	<p>U.S. Department of Health and Human Services  Office for Civil Rights, Region VIII  <u>999 18<sup>th</sup> Street, Suite 417</u>  <del>1961 Stout Street</del>  <del>Federal Office Building, Room 1426</del>  Denver, Colorado <u>80202 80294</u>  <u>1-800-368-1019</u>  <del>303-844-2024</del>  TTY <u>1-800-537-7697</u> <del>303-844-3439</del>  FAX 303-844-2025</p>
<p>U.S. Department of Agriculture  <u>Director, Office of Adjudication</u>  <del>Assistance Secretary of Civil Rights Office</del>  1400 Independence Avenue SW <del>Room 240 W</del>  Washington, D.C. 20250  <u>1-866-632-9992</u>  <del>1-800-795-3272 or 202-720-3808</del>  TTY <u>800-877-8339</u> <del>202-401-0216</del>  FAX <u>202-690-7442</u> <del>202-720-8046</del></p>	<p>U.S. Department of Health and Human Services  Office of Civil Rights  200 Independence Avenue SW  HHH Building, Room 509-F  Washington, D.C. 20201  202-619-0403  TTY 1-800-537-7697  FAX 202-619-3437</p>

A valid civil rights complaint must be in writing and include the name of the individual or organization against whom the complaint is made; the basis of the discrimination, e.g. race, age, religion, national origin, color, gender, disability or status with respect to marriage or public assistance; and the reason for the complaint (details of when, where, and how the alleged discrimination occurred).

### **Confidentiality and Safeguarding of Information 448-01-25**

5. 448-01-25 – General Statement 448-01-25-05. Added policy to ensure client identifying information is kept confidential when leaving voice messages.

**General Statement 448-01-25-05**

Federal and state laws and regulations strictly limit the use and disclosure of confidential information concerning applicants or recipients of Economic Assistance and Health Care Coverage Programs for purposes directly related to the administration of those programs. Confidential information includes any written, verbal or electronic information that can uniquely identify an individual regardless of whether or not it is incorporated into a casefile. Safeguards go into effect with the initial contact which may be as early as an inquiry of the application process or availability of services. Safeguards remain in effect indefinitely and are not terminated by the cessation of services or assistance or by an individual's death.

Information relating to direct administration of Economic Assistance and Health Care Coverage Programs includes:

1. Establishing eligibility, determining amount of assistance, and providing needed services for recipients; and
2. Any investigation, prosecution, or criminal or civil proceeding conducted in connection with the administration of such programs.

State and county staff have access to information that is of a highly private nature which may include:

- Conversations and narratives
- Paper and electronic files and records
- Reports
- Eligibility systems
- Mail, including e-mail
- Faxes

This information may also include issues such as illegitimacy, mental illness and deficiency, criminal histories, economic distress, marital discord, and congenital deformities or other medical handicaps. Extreme discomfort, embarrassment, and harm can result for the individual or family if such information falls into the hands of

unauthorized persons. For this reason, strict standards for safeguarding this information are defined in federal and state laws and regulations. Violation of these laws and regulations may be subject to penalties as defined in the Confidentiality Manual section 110-01-15.

Confidentiality must be maintained when contacting collateral sources for information to verify eligibility. Client identifying information must not be included in a message when contacting another agency UNLESS the message identifies the intended individual and agency.

Additional policies on confidentiality and safeguarding of information can be found in the Confidentiality Manual located on the County Intranet in the 'Legal' folder.

6. 448-01-25-10-10-25 – Supplemental Nutrition Assistance Program (SNAP). Added a new item addressing the release of information to educational agencies administering the National School Lunch Program or the School Breakfast Program.

### **Supplemental Nutrition Assistance Program (SNAP) 448-01-25-10-10-25**

Use or disclosure of information obtained from applicant households, exclusively for SNAP, is restricted to the following persons. Information can be disclosed to these individuals without a signed release.

1. Persons directly connected with the administration or enforcement of the provisions of the Food and Nutrition Act or regulations, other federal assistance programs such as housing or WIC or federally assisted state programs which provide assistance, on a means tested basis, to low income households.
2. Persons directly connected with the administration or enforcement of the programs which are required to participate in the Income Eligibility Verification System (IEVS) program, to the extent the SNAP information is useful in establishing or verifying eligibility or benefit amounts under those programs. In North Dakota, these programs are TANF, Medical Assistance, Unemployment Compensation, and SNAP.

3. Persons directly connected with the verification of immigration status of aliens applying for SNAP benefits through the Systematic Alien Verification for Entitlement (SAVE) system, to the extent the information is necessary to identify the individual for verification purposes.
4. Persons directly connected with the Child Support (IV-D) Program, and Health and Human Services employees as necessary to assist in establishing or verifying eligibility or benefits under Title II (Federal Old Age Survivors and Disability Benefits) and Title XVI (Supplemental Security Income) of the Social Security Act.
5. Employees of the Controller General's Office of the United States for audit examination authorized by any provision of law.
6. Local, State or Federal law enforcement officials, upon their written request, for the purpose of investigating an alleged violation of the Food and Nutrition Act or regulations. The written request must include the identity of the individual requesting the information and their authority to do so, the violation being investigated and the identity of the person on whom the information is being requested.
7. Federal, State, or local law enforcement officers who request in writing the address, social security number, and if available, the photograph of a SNAP client. The officer must furnish the client's name and notify the county in writing that the member is fleeing to avoid prosecution or custody for a crime, or an attempt to commit a crime that would be classified as a felony or is violating a condition of probation or parole imposed under Federal or State law.

The county must also provide information regarding a household member that has information necessary for the apprehension or investigation of another member who is fleeing to avoid prosecution or custody for a felony or has violated a condition of probation or parole upon the written request of a law

enforcement officer.

If a law enforcement officer provides documentation indicating that a household member is fleeing to avoid prosecution or custody for a felony, or has violated a condition of probation or parole, the county must terminate participation of that member applying 10-10-10. SFN 1032 – Request from Law Enforcement must be used to document the case.

8. If there is a written request by a responsible member of the household, its currently authorized representative, or a person acting on its behalf to review materials contained in its casefile, the material and information contained in the casefile must be made available for inspection during normal business hours, subject to limitations defined in the Confidentiality Manual at 110-01-35 located on the County Intranet in the 'Legal' folder.
9. Local educational agencies administering the National School Lunch Program or the School Breakfast Program for the purpose of directly certifying the eligibility of school-aged children for receipt of free meals based on their receipt of SNAP benefits.

Recipients of information released under this policy must adequately protect the information against unauthorized disclosure to persons or for purposes not specified in this section.

7. 448-01-25-15-15 - Securing System and Workspace Information. Added requirements for controlling access to areas containing FTI information.

### **Securing System and Workspace Information 448-01-25-15-15**

Federal and State regulations require information stored in the computer systems and at your workspace be kept secure. The following requirements must be followed to ensure the security of this information:

- When leaving your workspace for any reason, secure your computer by activating the password-protected screen saver or logging off.

- When leaving your workspace, place confidential information in a secure area.
- Do not share passwords with co-workers.
- Keep passwords secure.
- Position your monitor so it cannot be easily viewed or turn it off to avoid displaying sensitive information to unauthorized personnel.
- Do not leave confidential information where unauthorized personnel can view.
- Ensure your workspace is secure before leaving during an evacuation or emergency, such as fire, tornado, or flood.
- Save information to an appropriate network drive if available. Information stored in the network is backed-up.
- Shred or burn sensitive information in accordance with office procedures.
- Promptly report any virus activity to your computer technician.
- Close all programs and properly shut down your computer at the end of each day.
- Each time an e-mail containing client information (e.g. name, social security number) is sent, it must include one of the following disclaimers and the subject line of the email should not include client identifying information:

- General Disclaimer

-----Confidentiality Statement-----

This transmission is intended only for the use of the individual to whom it is addressed and may contain information that is made confidential by law. If you are not the intended recipient, you are hereby notified any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please respond immediately to the sender and then destroy the original transmission as well as any electronic or printed copies. Thank you.

- Drug and Alcohol Disclaimer

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This notice accompanies a disclosure of information concerning a client in alcohol or drug treatment, made to you with the consent of such a client. This information has been disclosed to you from records protected by Federal confidentiality rules (42 C.F.R Part 2). The Federal rules prohibit you from making any further disclosure of this information unless further disclosure is expressly permitted by the written consent of the person to whom it pertains or as otherwise permitted by 42 C.F.R. Part 2. A general authorization for the release of medical or other information is NOT sufficient for this purpose. The Federal rules restrict any use of the information to criminally investigate or prosecute any alcohol or drug abuse patient.

- Any suspicious activity must be reported to the Information Technology Services Division in the Department.

### **Controlling Access to Areas Containing Federal Tax Information (FTI)**

The director or designee shall maintain an authorized list of all personnel who have access to information system areas where these systems contain FTI. This shall not apply to those areas within the facility officially designated as publicly accessible.

Each agency shall control physical access to the information systems (TECS) that display FTI information or where FTI is processed to prevent unauthorized individuals from observing the display output.

Each agency shall position information system components within the facility to minimize potential damage from physical and environmental hazards and to minimize the opportunity for unauthorized access.

Whenever cleaning and maintenance personnel are working in restricted areas containing FTI, the cleaning and maintenance activities must be performed in the presence of an authorized employee if the area includes access to casefiles or computers where FTI is housed. Allowing an individual to "piggyback" or "tailgate" into a restricted locations should be prohibited and documented in agency policy. The agency must ensure that all individuals entering an area containing FTI do not bypass access controls or allow unauthorized entry of other individuals. Unauthorized access should be challenged by authorized individuals (e.g., those with access to FTI). Security personnel must be notified of unauthorized piggyback/tailgate attempts.

- 8. 448-01-25-15-17 – Emailing Confidential Information. This is a new section that includes the required safeguards when emailing confidential information.

**Emailing Confidential Information 448-01-25-15-17**

When sending sensitive and/or confidential information via e-mail, every effort should be made to ensure the information is sent securely. Secure Email and Document Transfer instructions must be used and are located on the County Intranet in the 'Information Technology Services' folder.

In addition, when an email containing client information (e.g. name, social security number) is sent, it must include one of the following disclaimers. The subject line of the email should not include client identifying information:

- o General Disclaimer

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### **Procedures for Appeals and Fair Hearings 448-01-30**

9. 448-01-30-20 – County Responsibilities – Appeals and Fair Hearings. Added the requirement that the county notify the DHS Appeals Supervisor if the appellant has a legal guardian and updated the HCC policy citations.

#### **County Responsibilities - Appeals and Fair Hearings 448-01-30-20**

The eligibility worker must:

- Inform the applicant of their right to appeal. All applicants and recipients are informed of their right to appeal and receive a fair hearing on the back of all notices.
- Assist an applicant or recipient in submitting their request for a

fair hearing if the applicant or recipient requests their assistance. The SFN 162 – Request for Hearing may be used.

- When the applicant, recipient or authorized representative submits a request for fair hearing and does not use the SFN 162 the eligibility worker must complete the SFN 162 as follows:
  - 'Program Name' Section – Enter the program name the client is appealing.
  - 'APPEAL OF' Section – Enter the Name, Telephone Number, Address, City, State and Zip Code of the individual who is appealing.
  - 'STEP 1:' Section – Attach a copy of the notice that includes the decision the applicant or recipient is appealing.
  - 'STEP 2:' Section – Indicate 'Copy of Request for Appeal is attached (or if a verbal request was received for SNAP, verbal request) in this box and include the date the applicant or recipient requested the appeal.
  - 'STEP 3:' Section – If the recipient has provided this information, mark the appropriate box. If the recipient has not provided this information, leave the boxes blank.
  - 'STEP 4:' Section – Complete the Name, Telephone Number, Address, City, State and Zip Code of the individual assisting the applicant or recipient in their appeal, if known. If not known, leave blank.
  - 'STEP 5:' Section – Do not complete.
- Provide the household with a list of the legal service organizations, DN 1087 – Legal Service Organizations , to assist them with the fair hearing.
- Complete the SFN 1784 – Appeal Background Report. Mail or fax (701-328-2173) the Appeal Background Report, the request for hearing and other pertinent documents as soon as possible but no later than five calendar days from the date of receipt of the request for hearing to:

Department of Human Services

Appeals Supervisor  
600 E. Boulevard Ave., Dept. 325  
Bismarck, ND 58505

**Note:** The documents submitted to the Legal Advisory Unit along with the Request for Hearing and Appeal Background Report are utilized by State Policy staff for review only. They are not forwarded to the Office of Administrative Hearing (OAH). Only the Request for Appeal and a copy of the notice that resulted in the appeal are forwarded to OAH.

- If the request is received by mail, the request form must be date stamped upon receipt and both the envelope and the request for hearing form must be sent to the DHS Appeals Supervisor.
- If the applicant or recipient hand delivers the request to the county, the request form must be date stamped upon receipt and a notation must be made on the request for hearing that the form was hand delivered.
- When the DHS Appeals Supervisor receives a request for hearing directly from the applicant or recipient, a copy will be sent to the eligibility worker. The eligibility worker must determine whether the household is entitled to continued benefits. See program policies for continuation of benefits at:
  - SNAP 430-05-70-25, Continuation of Benefits
  - Non-ACA Medicaid 510-05-25-30, Appeals
  - ACA Medicaid 510-03-25-30, Appeals
  - Healthy Steps 510-07-15-40, Appeals
  - TANF 400-19-125-10 and 400-19-125-15, Requesting a Fair Hearings
  - CCAP 400-28-155-20, Benefits Pending a Fair Hearings
  - LIHEAP 415-05-20, Right to Appeal and Fair Hearing
- When the eligibility worker becomes aware that the individual requesting a hearing plans to move from the State before a fair hearing decision would normally be reached, the eligibility

worker must expedite the hearing request to ensure the household receives a decision and restoration of lost benefits and the hearing must be processed faster than others, if necessary, to allow a decision before the household leaves the area.

- The eligibility worker will receive a letter from the Legal Advisory Unit indicating the Request for Appeal and a copy of the notice that resulted in the appeal was forwarded to OAH. This letter also indicates that OAH will be sending the eligibility worker a 'Notice of Hearing & Specification of Issue'.

**Note:** Upon receipt of the 'Notice of Hearing & Specification of Issue', the eligibility worker must follow the instructions included in this notice, which includes sending all pertinent information to OAH and the appellant.

When preparing for the fair hearing, the eligibility worker must:

- Notify the DHS Appeals Supervisor if the appellant has a legal guardian.
- Notify the DHS Appeals Supervisor if the appellant is represented by legal counsel to ensure that legal counsel is also provided for the county.
- Notify the DHS Appeals Supervisor of any problem the applicant or recipient may have accessing the hearing site.
- Review the applicable Administrative Rules and program policies. Any questions or clarifications needed in regards to the rules or policies must be addressed with appropriate program staff prior to the hearing.
- Organize all oral and written evidence and plan for its presentation at the hearing to avoid unnecessary delay or duplication.
- Present copies of policy directives or instructions at the hearing when they are involved in the matter.
- Arrange for the attendance of all necessary witnesses and the availability of all documents for presentation of the case by the county social service office.
- Prepare a complete final budget computation, month by month, for the period subject to review, and up to the date of hearing, if the issue is:

- Amount of assistance
- Adjustment(s)
- Demand for repayment
- Remain in touch with the applicant or recipient and report to the DHS appeals supervisor any change in their address or any other circumstances which might affect the hearing, if possible. The responsibility to report changes in the applicant or recipient's circumstances continues until a hearing decision has been reached.
- After the hearing, the Administrative Law Judge (ALJ) will issue a recommended finding and recommended order for review by the county and DHS program staff. The appellant also receives a copy. This is not the final decision. Any concerns the county may have with these documents need to be sent to the appropriate DHS program staff upon receipt.

**NOTE:** Never take action on the unsigned recommended finding and recommended order.

- Immediately upon receipt of the decision signed by the Executive Director of the Department of Human Services, the eligibility worker must comply with the decision based on program policy.
10. 448-01-30-25 – Notice of Fair Hearing. The timeframe for the notice of fair hearing was corrected to 30 days for SNAP.

### **Notice of Fair Hearing 448-01-30-25**

The Office of the Administrative Hearings (OAH) will mail or deliver a written notice of the time and place of the hearing, along with procedures for the fair hearing, to the eligibility worker, applicant, recipient, authorized representative and legal representatives. For SNAP appeals, the notice must be sent not less than thirty ~~ten~~ days prior to the hearing unless the household should, in writing, request less advance notice to expedite the scheduling of the hearing.

**Intentional Program Violations (IPV) 448-01-35**

11. 448-01-35-25 – County’s Responsibilities – Intentional Program Violation (IPV). Added additional information to clarify county responsibilities for IPV hearings.

**County’s Responsibilities – Intentional Program Violation (IPV) 448-01-35-25**

When a notice of IPV hearing has been issued, the eligibility worker will receive a letter from the Legal Advisory Unit indicating the Request for Hearing and a copy of the notice that resulted in the hearing was forwarded to OAH. This letter will also indicate that OAH will be sending the eligibility worker a ‘Notice of Hearing & Specification of Issue’. ~~the county must:~~

Upon receipt of the ‘Notice of Hearing & Specification of the Issue’, the eligibility worker must:

1. Follow the instructions included on this notice, which include sending all pertinent information to OAH and the appellant.

~~Provide copies of evidence to the Administrative Law Judge within the timeframe indicated in the notice from the Office of Administrative Hearings whether the evidence was already provided to the Department or not.~~

2. Ensure the necessary witnesses are at the hearing.
3. Bring the necessary evidence to the hearing.
4. Come to the hearing prepared as though the applicant will attend, even though you may have reason to believe the applicant, recipient or authorized representative will not attend the hearing.
5. Make certain the conference telephone is in good working order.

**Interfaces 448-01-50**

12. 448-01-50-07 – NDVerify. Added a new section in Interfaces 448-01-50 to address NDVerify.

**NDVerify 448-01-50-07**

The NDVerify System streamlines the search of different interfaces/sources to obtain verifications electronically. This system allows multiple interfaces/sources to be searched for household members known to the TECS, Vision, LIHEAP or CCAP Systems at the same time.

The following interface verification sources are available in NDVerify:

- Birth/Death Records (ND Vital Records)
- Health Insurance (DEERS)
- ND Child Support (FACSES)
- ND Department of Corrections
- ND Motor Vehicle/Watercraft (Motor Vehicle/Game & Fish)
- ND State Directory of New Hire
- ND State Hospital Admission/Discharge
- ND Unemployment Insurance Benefits (Job Service)
- ND Wages (Job Services)
- Other Benefit Information
- SNAP Intentional Program Violations
- WSI Medical Claims Status
- Request UPA
- Request 40 Quarters

NDVerify will search individuals known to one of the eligibility systems. Before initiating a search in NDVerify, all individuals must be registered in the TECS, Vision, LIHEAP or CCAP system.

- For Health Care Coverage (HCC), SNAP and TANF, staff will search by Case Number.
  - All active clients in the case and all interface sources available to HCC, SNAP and TANF will default as 'selected'. The worker can choose to deselect clients, sources, or a combination of both.

- For LIHEAP and CCAP, staff will search by social security number (SSN), last name and first name, since these programs/systems do not have case numbers. The date of birth can be entered to assist with the search, but is optional.
  - All active clients for whom the search has been requested, and all interface sources available to LIHEAP and CCAP will default as 'selected'. The worker can choose to deselect clients, sources, or a combination of both.

When a search has been initiated, the results will be stored in NDVerify with a time and date stamp and the User ID of the individual who completed the search. The history of all searches serves as verification of information used at the time of the eligibility determination. Staff do not need to print copies of the results and store them in paper or electronic case files.

**Note:** These search results are considered part of the case file and used to determine eligibility for all Economic Assistance or Health Care Coverage programs in North Dakota.

The 'Verification' type of 'Interface' must be selected in the eligibility systems when the information has been verified through a NDVerify search result.

The View ND Motor Vehicle/Watercraft search results display a 'Rank' column. The 'Rank' defines the match accuracy of the search results. The higher the 'Rank' the more accurate the data will be.

Information from the following sources is not available for CCAP or LIHEAP ONLY cases:

- ND Child Support (FACSES),
- ND State Directory of New Hires
- Request UPA

In addition, ND New Hires (FACSES) and Request UPA is not available for Healthy Steps ONLY cases.

Access to NDVerify is provided to workers based on their role listed on the County System Request Form. This form is completed and

submitted by the County Director or the County Director's designee. The form, along with instruction for completion, can be found on the County Intranet in the Information Technology folder.

13. 448-01-50-07-05 – Birth/Death Records (ND Vital Records). This is a new section with information on the ND Vital Records interface.

### **Birth/Death Records (ND Vital Records) 448-01-50-07-05**

NDVerify interfaces with ND Vital Statistics to provide verification of the date of birth, date of death, citizenship, and relationship for individuals in the household for whom the search was initiated, regardless of age.

When the results are received, each match will be ranked based on the accuracy of the data:

- Rank 'A' appears when the client's last name, first name and date of birth, or last name and date of birth match exactly.
- Rank 'B' appears when the birth date, first 3 characters of the last name and first 2 characters of the first name match.

If the results are inconsistent with what the household has provided, the household needs to be referred to the Vital Statistics Office at the North Dakota Department of Health. Workers should not say what information does not match, but inform the applicant or recipient it cannot be verified and that the individual needs to contact the Vital Statistics Office to obtain a certified copy.

Data received as a result of this search is owned by the Vital Statistics Office at the North Dakota Department of Health. This information:

- MUST NOT be released to any agency or individual (including the applicant or recipient), even with the individual's signed release.

14. 448-01-50-07-10 – Health Insurance (DEERS). This is a new section with information on the Health Insurance (DEERS) interface.

### **Health Insurance (DEERS) 448-01-50-07-10**

NDVerify interfaces with the Defense Enrollment Eligibility Reporting System (DEERS); a military database that lists everyone who is eligible for TRICARE and CHAMPVA health coverage. The search results will display information for individuals for whom the search was initiated, regardless of age.

If the search results are inconsistent with what the household has provided, additional verification is required.

Data received as a result of this search is owned by the Department of Defense. This information:

- Is only for workers who determine eligibility, ongoing benefits or payments for Medicaid and Healthy Steps Programs in North Dakota.
- Cannot be accessed for CCAP, LIHEAP, SNAP or TANF cases.
- MUST NOT be released (given, mailed or e-mailed) to any agency, applicant, recipient, authorized representative, or other individual.

15. 448-01-50-07-15 – ND Child Support (FACSES). This is a new section with information on the ND Child Support (FACSES) interface.

### **ND Child Support (FACSES) 448-01-50-07-15**

NDVerify interfaces with the ND Child Support Fully Automated Child Support Enforcement System (FACSES) to provide verification of child, spousal and medical support paid and received, paternity status, and court order information. The search results will display the previous 12 months of information for individuals in the household for whom the search was initiated, regardless of age.

If the results are inconsistent with what the household has provided, the household needs to be referred to the ND Child Support Agency to obtain verification.

Data received as a result of this search is owned by the North Dakota Child Support Agency. This information:

- Is only for workers who determine eligibility, ongoing benefits or

payments for Medicaid, Healthy Steps, SNAP and TANF Programs in North Dakota.

- Cannot be accessed for CCAP, or LIHEAP ONLY cases.
- MUST NOT be released (given, mailed or e-mailed) to any agency, applicant, recipient, authorized representative, or other individual. Requests from these individuals must be referred to the Child Support Agency.

**Exception:** The date and amount of a child support payment may be provided to the applicant, recipient or authorized representative.

16. 448-01-50-07-20 – ND Department of Corrections. This is a new section with information on the ND Department of Corrections interface.

#### **ND Department of Corrections 448-01-50-60-20**

NDVerify interfaces with the ND Department of Corrections to verify individuals who have been or are currently incarcerated in the ND State Penitentiary during the past twelve months. Search results will display for those individuals for whom the search was initiated, who are age 18 and older.

If the search results are inconsistent with what the household has provided, the worker will need further verification.

Data received as a result of this search is owned by ND Department of Corrections. This information:

- MUST NOT be released to any agency or individual (including the applicant or recipient), even with the individual's signed release.

17. 448-01-50-07-25 – ND Motor Vehicle/Watercraft (Motor Vehicle/Game & Fish). This is a new section with information on the ND Motor Vehicle/Watercraft (Motor Vehicle/Game & Fish) interface.

#### **ND Motor Vehicle/Watercraft (Motor Vehicle/Game & Fish) 448-01-50-07-25**

NDVerify interfaces with the ND Department of Transportation and the

ND Game and Fish Department to provide verification of motor vehicles and watercraft registered to individuals in the household for whom the search was initiated, regardless of age.

- ND Department of Transportation provides verification of motor vehicles registered to individuals in the household.
- ND Game and Fish Department provides verification of watercraft registered to individuals in the household.

When the results are received, each match will be ranked based on the accuracy of the data:

- Rank 'A' appears when the client's last name, first name and street address match exactly.
- Rank 'B' appears when the last name and first name match.

If the interface has information that is inconsistent with what the household has provided, the household needs to be referred to the ND Department of Transportation or the ND Game and Fish Department to obtain verification.

Data received as a result of this search is owned by the ND Department of Transportation and the ND Game and Fish Department. This information:

- Cannot be accessed for CCAP ONLY cases.
- MUST NOT be released to any agency or individual (including the applicant or recipient), even with the individual's signed release.

18. 448-01-50-07-30 – ND State Directory of New Hire. This is a new section with information on the ND State Directory of New Hire interface.

### **ND State Directory of New Hires 448-01-50-07-30**

NDVerify interfaces with the ND Child Support Fully Automated Child Support Enforcement System (FACSES) to provide verification of individuals in the household who have been hired for new employment in North Dakota. The search results will display the previous 12 months of information for individuals in the household age 14 or older,

for whom the search was initiated.

If the search results are inconsistent with what the household has provided, additional verification is required.

Data received as a result of this search is owned by the North Dakota Child Support Agency Office. This information:

- Is only for workers who determine eligibility, ongoing benefits or payments for Medicaid, SNAP and TANF Programs in North Dakota.
- Cannot be accessed for CCAP, Healthy Steps, or LIHEAP only cases.
- MUST NOT be released (given, mailed or e-mailed) to any agency, applicant, recipient, authorized representative, or other individual.

19. 448-01-50-07-35 – ND State Hospital Admissions/Discharge. This is a new section with information on the ND State Hospital Admissions/Discharge interface.

### **ND State Hospital Admissions/Discharge 448-01-50-07-35**

NDVerify interfaces with the ND State Hospital to verify State Hospital admittance and discharge dates for individuals for whom the search was initiated. The search results will display information for individuals for the previous 12 months, regardless of age.

When the results are received, each match will be ranked based on the accuracy of the data:

- Rank 'A' appears when the client's SSN matches exactly.
- Rank 'B' appears when full last name and birthdate match exactly.

If the search results are inconsistent with what the household has provided, additional verification is required.

Data received as a result of this search is owned by the ND State Hospital. This information:

- MUST NOT be released to any agency or individual (including the

applicant or recipient), even with the individual's signed release.

20. 448-01-50-07-40 – ND Unemployment Insurance Benefits (UIB). This is a new section with information on the ND Unemployment Insurance Benefits (UIB) interface.

**ND Unemployment Insurance Benefits (UIB) (Job Service) 448-01-50-07-40**

NDVerify searches a database of records consisting of the monthly UIB benefit amounts individuals have received from North Dakota during the previous 12 months, regardless of their age (this is the same information received through the IEVS UIB Hits).

**Note:** Due to federal requirements, workers will continue to receive IEVS UIB Hits in TECS, which will need to be worked within 30 days.

The 'ND Unemployment Insurance Benefits (Job Service)', search results will include verification of UIB benefits, for individuals in the household, for whom the search was initiated. If the search results differ from current information provided, the results may serve as a lead that may require further investigation. When necessary, the household may need to obtain verification from Job Service North Dakota.

Workers in each county who have been allowed access to the Unemployment Insurance Benefit (UIB) Interface, owned by Job Service of North Dakota will continue to have the ability to search this interface. (Refer to Unemployment Insurance Benefit Interface in Section 448-01-50-25.)

Data received as a result of this search is owned by Job Service North. This information:

- CAN be released to the applicant, recipient or authorized representative.
- CANNOT be released (given, mailed or e-mailed) to any agency or other individual in or out-of-state.

21. 448-01-50-07-45 – ND Wage (Job Service). This is a new section with

information on the ND Wage (Job Service) interface.

### **ND Wages (Job Service) 448-01-50-07-45**

NDVerify searches a database of records consisting of the quarterly wages individuals have received in North Dakota during the previous 12 months, regardless of their age (this is the same information received through the IEVS Job Service Wage Hits).

**Note:** Due to federal requirements, workers will continue to receive IEVS Job Service Wage Hits in TECS, which will need to be worked within 30 days.

The ND Wages (Job Service) search results will include verification of wages received by individuals, for whom the search was initiated. If the search results differ from current information provided, the results may serve as a lead that may require further investigation. When necessary, the household may need to obtain and provide verification.

Data received as a result of this search is owned by Job Service North Dakota This information:

- CAN be released to the applicant, recipient or authorized representative.
- CANNOT be released (given, mailed or e-mailed) to any agency or other individual in or out-of-state.

22. 448-01-50-07-50 – Other Benefit Information. This is a new section with information on the Other Benefit Information interface.

### **Other Benefit Information 448-04-50-07-50**

NDVerify interfaces with the Social Security Administration (SSA) and the search results display under 'Other Benefit Information'. The search results will provide verification of Social Security/Supplemental Security Income (SSI) benefits, Medicare/Buy-in information and Social Security Number verification for individuals in the household for whom the search was initiated, regardless of age. If the search finds a cross-reference claim number, the cross-reference information will also display.

**Note:** Most cross-reference claim numbers are the same as the

SSN with a Beneficiary Identification Code (BIC) letter of 'A' which means the client is receiving the benefit under their own SSN. In this instance the benefit amount displays the same under both the SSN and cross-reference claim number.

If the cross reference claim number is different than the SSN, it will have a BIC number other than 'A.'

- If the benefit amount is different under the cross-reference claim number, then 'Payment Status' under the cross-reference claim number will display 'Amount is included in 'CP' record'. Use only the amount displaying under the SSN.
- If the benefit amount is the same under both the SSN and the cross reference claim number, then the client is receiving only one amount under the cross-reference claim number's SSN rather than their own SSN.

Social Security BIC code definitions can be found on the County Intranet in the NDVerify folder under Economic Assistance-Health Care Coverage.

If the results are inconsistent with what the household has provided, the household needs to be referred to the Social Security Administration. Workers will need to inform the applicant or recipient that the benefits could not be verified and that the individual needs to contact the Social Security Administration to obtain current verification.

Data received as a result of this search is owned by the Social Security Administration. This information:

- CAN be released to the applicant, recipient or authorized representative with a signed release.
- CANNOT be released (given, mailed or e-mailed) to any agency or other individual in or out-of-state.

the Office of Safeguards as soon as it is available.

23. 448-01-50-07-55 – SNAP Intentional Program Violations. This is a new section with information on the SNAP Intentional Program

Violations interface.

### **SNAP Intentional Program Violation 448-01-50-07-55**

NDVerify interfaces with the Electronic Disqualification Recipient Subsystem (EDRS) that is managed by the Food and Nutrition Services (FNS). This system provides SNAP Intentional Program Violations (IPV) imposed in all 50 states and U.S. territories. The search results provide IPV information for individuals age 14 or older, for whom the search results were initiated.

If the search results indicate an individual has a SNAP IPV in another state or territory, the worker MUST contact the other state or territory to obtain verification of the IPV. Contact information is included in the search results. If the worker needs assistance in obtaining the verification, contact the State SNAP office.

**Note:** Copies of court decisions, administrative disqualification hearing determinations, signed disqualification consent agreements or administrative disqualification hearing waivers in electronic or hard copy will serve as verification.

This information:

- Is only for workers who determine eligibility, ongoing benefits or payments for SNAP.
- Cannot be accessed for CCAP, Healthy Steps, LIHEAP, Medicaid or TANF only cases.
- MUST NOT be released (given, mailed or e-mailed) to any agency, applicant, recipient, authorized representative, or other individual.

24. 448-01-50-07-60 – WSI Medical Claims Status (ND Workforce Safety & Insurance). This is a new section with information on the WSI Medical Claims Status interface.

### **WSI Medical Claims Status (ND Workforce Safety & Insurance) 448-01-50-07-60**

NDVerify interfaces with ND Workforce Safety and Insurance (WSI) to verify medical coverage for individuals who have a work-related injury.

Search results will display for those individuals, who are age 14 and older, for whom the search was initiated.

**Note:** The search results will not include verification of monetary benefits.

If the search results return WSI claim information, the worker will need to pursue potential eligibility for monetary benefits and obtain sufficient information to enter third party liability (TPL) coverage.

Data received as a result of this search is owned by ND Workforce Safety and Insurance. This information:

- MUST NOT be released to any agency or individual (including the applicant or recipient), even with the individual's signed release.

25. 448-01-50-07-65 – Request UPA. This is a new section with information on the Request UPA interface.

### **Request UPA 448-01-50-07-65**

NDVerify interfaces with the ND Child Support Fully Automated Child Support Enforcement System (FACSES) to provide Unreimbursed Public Assistance (UPA) information for TANF caretakers for whom the search was initiated.

If the TANF caretaker has questions regarding the amount of UPA, they should contact their worker. If they have questions regarding how payments are applied to the UPA balance, they should be referred to the ND Child Support Agency.

Data received as a result of this search is owned by the North Dakota Child Support Agency. This information:

- Is only for eligibility workers who determine eligibility, ongoing benefits or payments for the TANF Program.
- Cannot be used for CCAP, Healthy Steps, LIHEAP, Medicaid or SNAP cases.
- MUST NOT be released (given, mailed or e-mailed) to any agency, applicant, recipient, authorized representative, or other individual. Requests from these individuals must be referred to

the Child Support Agency.

26. 448-01-50-07-70 – Request 40 Quarters. This is a new section with information on the Request 40 Quarters interface.

### **Request 40 Quarters 448-01-50-07-70**

NDVerify interfaces with the Social Security Administration (SSA) to verify if individuals, for whom the search was initiated, can be credited with forty qualifying quarters of employment, regardless of age.

If the results are inconsistent with what the household has provided, the household needs to be referred to the Social Security Administration to ensure their records are updated. Workers will need to inform the applicant or recipient that quarters of employment could not be verified and that the individual needs to provide verification of their quarters of employment.

Data received as a result of this search is owned by the Social Security Administration. This information:

- CAN be released to the applicant, recipient or authorized representative with a signed release.
- CANNOT be released (given, mailed or e-mailed) to any agency or other individual in or out-of-state.

27. 448-01-50-10-25 - Reporting and Tracking Improper Access and Disclosure of IRS Information. Included requirement to report to Office of Safeguards.

### **Report and Tracking Improper Access and Disclosure of IRS Information 448-01-50-10-25**

The state and county social service offices must immediately report breaches of access and disclosure requirements applicable to IRS information to the:

- Director of Economic Assistance; and
- Treasury Inspector General for Tax Administration (TIGTA); and

- Via phone to the regional office 312-886-0620, or to the hotline 800-366-4484.
- Or by mail to:  
Treasury Inspector General for Tax Administration  
Ben Franklin Station  
PO Box 589  
Washington, DC 20044-0589
- Office of Safeguards
  - Via e-mail to [SafeguardReports@irs.gov](mailto:SafeguardReports@irs.gov)
  - Or by mail to:  
Internal Revenue  
1111 Constitution Avenue NW  
Washington, DC 20224

The reporter is responsible for providing information until the process is complete.

**NOTE:** Disclosure means information given, without the consent of the recipient, to another agency or individual who does not require the information to determine eligibility for Economic Assistance or Health Care Coverage Programs.

When an improper disclosure of this information occurs, complete records will be kept of any disclosure of information obtained from IRS. A record of the disclosure must be reported to the Director of Public Assistance and retained for five years or the life of the records, whichever is longer. The record must include:

- Date and time of incident
- Date and time incident was discovered
- How the incident was discovered
- Description of the incident and data involved (include specific data elements if known but do not include client specific information)
- Potential number of Federal Tax Information records involved (if unknown provide a range if possible)
- The address where the incident occurred
- Information technology involved (laptop, server, mainframe)

- Do not include any FTI in the Data Incident Report
- Reports must be sent electronically and encrypted via IRS-approved encryption techniques. Use the term Data Incident Report in the subject line of the email.

**Note:** Even if all information is not available, immediate notification is the most important factor, not the completeness of the Data Incident Report. Additional information must be provided to

28. 448-01-50-10-45 – Internal Revenue Service (IRS). Added clarification regarding the information that cannot be included in the notice.

### **Internal Revenue Service (IRS) 448-01-50-10-45**

An electronic file is sent to IRS approximately once a month for all new recipients approved that month and existing recipients in a TECS or Vision case that are due for an annual request of data. IRS processes the data and information is returned to the Department through an electronic file. The Federal Tax Information returned from IRS is from tax returns for the current tax year and includes interest, dividends, gambling winnings, agriculture subsidies, capital gains and sale of stocks and bonds. This file is used to create the IEVS Unidentified Financial Object (UFO) hits in TECS.

**\*\*DO NOT print or include IEVS UFO information in case files.\*\***

**Information that specifically addresses where the hit came from (IRS) or the source of the information (company or agency name) cannot be included in the:**

- **request for information sent to the recipient**
- **request for information sent to the source**
- **documentation in narratives**

The established tolerance level for IEVS UFO hits is \$49.99. If the variance between information received through IEVS UFO and information used to determine eligibility is \$49.99 or less for the

reporting year per recipient, the hit will display in blue on the IEVS Outstanding Interfaces (IEOI) in TECS. On the IEVS Outstanding Client Interfaces (IEOC) in TECS, the hit will display "TOL" next to the date. The eligibility worker will not be required to take action and it will automatically show on the tracking screen as being correct. The eligibility worker should review those alerts to determine if the recipient failed to report.

If the IEVS UFO information is greater than the tolerance level, the worker must process the IEVS hit. The findings must be entered on the IEVS Tracking Results (IETR) in TECS.

29. 448-01-50-10-60 – Social Security Administration (SSA) Information Processed in IEVS. Added clarification regarding the information that cannot be included in the notice.

**Social Security Administration (SSA) Information Processed in IEVS 448-01-50-10-60**

An electronic file is received from SSA once a month. The file contains information on wages, pensions and self-employment income reported to SSA for the prior two years. Information in this file is matched against all existing recipients in a TECS or Vision case in the last two years. Beneficiary Earnings Exchange Record (BEER) matches generate the IEVS BENDEX WAGE hits in TECS. BENDEX WAGE information is received from SSA but originated from the IRS.

**\*\*DO NOT print or include IEVS BENDEX WAGE information in case files.\*\***

**Information that specifically addresses where the hit came (SSA or IRS) from or the source of the information (IRS and employers) cannot be included in the:**

- **request for information sent to the recipient**
- **request for information sent to the source**
- **documentation in narratives**

The established tolerance level for BENDEX WAGE hits is \$1199.99. If

the variance between information received in the BENDEX WAGE hit and information used to determine eligibility is \$1199.99 or less for the reporting year per recipient, the hit will display in blue on the IEVS Outstanding Interfaces (IEOI) in TECS. On the IEVS Outstanding Client Interfaces (IEOC) in TECS, the hit will display "TOL" next to the date. The eligibility worker will not be required to take action and it will automatically show on the tracking screen as being correct. The eligibility worker should review those alerts to determine if the recipient failed to report.

If the BENDEX WAGE hit information is greater than the tolerance level, the worker must process the IEVS hit. The findings must be documented in the narrative and entered on the IEVS Tracking Results (IETR) in TECS.

30. 448-01-50-10-70 – Verifying IEVS Hits. Added clarification regarding the information that cannot be included in the notice.

#### **Verifying IEVS Hits 448-01-50-10-70**

IEVS UIB hits are considered verified. All other IEVS hits serve as a lead to determine if income or assets were reported and are correctly considered in determining eligibility.

Based on SNAP policy at 430-05-80-30, all IEVS hits with the exception of IEVS UIB are only acted on if verification is obtained for Medicaid or TANF.

If the verification is in the case file, the eligibility worker must then determine if the verification was used correctly in determining eligibility. If the verification is not in the case file, for Medicaid or TANF, the following steps must be used to verify the hit.

1. The eligibility worker must send a notice **within 30 days from the date of the IEVS hit**, requesting the verification and informing the household they must clarify the potential assets or incomes. The IEVS Asset Verification or IEVS Income Verification notices should be used.

2. If the household contacts the eligibility worker and requests assistance in obtaining the information, the eligibility worker must assist the household. A release of information must be used when contacting the source.
3. If the household contacts the eligibility worker and indicates they do not have this income, the eligibility worker **MUST** follow up with the employer to verify the SSN and report the incorrect SSN to the Public Assistance Unit.
4. If the household fails to respond **within 30 days**, an advance notice to close Medicaid or TANF must be sent to the household, however, the verification process must continue.

**NOTE: If the household informs the eligibility worker that they have requested the information but have not received it, additional time may be granted. This must be documented in the case file.**

5. If the household does not provide the information, the eligibility worker **MUST** contact the source to verify the information. A release of information must be used when contacting the source.
6. If the household/source provides the verification, if the household/source fails to respond or provide the verification, or if the source is unavailable to provide the verification, refer to
  - TANF policy at 400-19-130-05,
  - SNAP policy at 430-05-80-30 or
  - Medicaid policy at 510-05-10-25.
7. If it is determined that the individual could not have received this income (SSN of baby shows earnings, individual in a nursing facility) report the incorrect SSN to the Public Assistance Unit.

The eligibility worker must document the verification of IEVS hits in the narrative with the exception of IEVS UFO and BENDEX wage hits. IEVS UFO and BENDEX wage hits are considered IRS tax return information.

**\*\*DO NOT print or include IEVS UFO information in case**

**files.\*\***

**Information that specifically addresses where the hit came (IRS) from or the source of the information (employers, company or agency name) cannot be included in the:**

- **request for information sent to the recipient**
- **request for information sent to the source**
- **documentation in narratives**

31. 448-01-50-15-10 – Confidentiality and Safeguarding of Social Security (SSA) Information. Removed reference to TPQY in TECS as this information is now available in NDVerify - Other Benefit interface information.

**Confidentiality and Safeguarding of Social Security (SSA) Information 448-01-50-15-10**

Federal and state laws and regulations strictly limit the use and disclosure of confidential information received from the Social Security Administration to purposes directly related to the administration of Economic Assistance and Health Care Coverage Programs. The Social Security information received through a computer match is the BEER, BENDEX, IEVS, SVES, NDVerify, ~~TPQY~~, and SDX. Information provided by SSA remains the property of SSA.

Workers and State office staff will be trained initially when hired and annually thereafter on the requirements of the Privacy Act and Social Security Administration requirements. The Safeguarding Federal Tax Information training is available through E-Learning.

Policies on confidentiality and safeguarding of information can be found in 448-01-25 – Confidentiality and Safeguarding of Information and 110-01 – Confidentiality located on the County Intranet in the 'Legal' folder.

32. 448-01-50-15-15 – Improper Access and Disclosure of Social Security Administration (SSA) Information. Removed reference to TPQY in

TECS as this information is now available in NDVerify - Other Benefit interface information. Also update the audit trail information in NDVerify.

### **Improper Access and Disclosure of Social Security Administration (SSA) Information 448-01-50-15-15**

Federal law requires that each employee be aware of the unauthorized access and disclosure of information received through an interface with the Social Security Administration. Refer to section 448-01-25-10 – Confidential Information.

The information received from these interfaces must not be:

- Disclosed or used for any purpose other than to determine eligibility.
- Used to extract information concerning individuals who are not recipients of the programs.

**NOTE: SSA information, with the exception of BENDEX Wage, received through the interface may be released to the applicant or recipient with a signed release of information but cannot be released to any other individual or agency.**

**SSA information provided by the applicant or recipient may be shared upon receipt of a signed release of information from the applicant or recipient.**

The Department will maintain a fully automated audit trail of SSA information obtained through NDVerify TPQY. The audit trail will track:

- ~~The reason for the inquiry (SNAP, Medicaid, or TANF);~~
- The individual making the query;
- The date and time of the query;
- The source being queried;
- Individuals that view the query.
- ~~Errors that result from the query (incorrect password);~~
- ~~Queries on recipients who are not known to TECS or Vision, and~~
- ~~Queries on recipients who are known to TECS or Vision but do not have any history in TECS or Vision.~~

33. 448-01-50-15-30 – Use of Social Security Administration (SSA) as a Source of Information. Updated the SDX information and removed the TPQY information replacing it with NDVerify. SDX and TPQY is now available in NDVerify - Other Benefit interface information.

### **Use of Social Security Administration (SSA) as a Source of Information 448-01-50-15-30**

The following are sources of information from SSA:

- The State Data Exchange (SDX) System – This Is an interface with SSA that is used to generate alerts in the TECS and Vision system. This interface is also searched by NDVerify.

~~This is an on-line inquiry of persons in North Dakota who have had any involvement with the Supplemental Security Income (SSI) Program (Title XVI). This system can be used to verify SSI income.~~

~~**NOTE: This is accessed through function 17 on the INME menu in TECS.**~~

- NDVerify Other Benefit Information - NDVerify interfaces with the Social Security Administration (SSA) and the search results display under 'Other Benefit Information'. The search results will provide verification of Social Security/Supplemental Security Income (SSI) benefits, Medicare/Buy-in information and Social Security Number verification for individuals in the household for whom the search was initiated, regardless of age. If the search finds a cross-reference claim number, the cross-reference information will also display.
- The Beneficiary Data Exchange (BENDEX) System – This is an interface with SSA that is used to generate alerts in the TECS and Vision system. This interface is only used to generate alerts and cannot be used to verify SSA income.
- ~~The Third Party Query Procedure (TPQY) – This is an on-line method of requesting verification of Title II (SSA) and Title XVI (SSI) for applicants and recipients. This system can be used to~~

verify SSA, SSI and Medicare benefits, and US citizenship.

~~**NOTE: This is accessed through function 28 on the INME menu in TECS.**~~

- Numident – This is an interface with SSA that is used to verify if client information in TECS and Vision matches with SSA's information for social security number, date of birth, gender, and name.
34. 448-01-50-15-35 – Supplemental Security Income (SSI) and State Data Exchange System. Removed reference to SDX in TECS as this information is now available in NDVerify - Other Benefit interface information.

### **Supplemental Security Income (SSI) and State Data Exchange (SDX) System 448-01-50-15-35**

#### **SSI**

In addition to administering the Retirement, Survivors, and Disability Insurance (RSDI) Program, the Social Security Administration also administers the Supplemental Security Income (SSI) Program which is funded under Title XVI of the Social Security Act. SSI is funded by general tax revenues (not social security taxes). This program replaced state programs of Aid to the Aged, Blind, and Disabled and is designed to help aged, blind and disabled individuals who have little or no income by providing cash payments to meet basic living needs.

#### **SDX**

The Social Security Administration has developed a comprehensive system, known as the SSI/State Data Exchange (SDX), for providing states with information about aged, blind, and disabled persons who apply for or receive Supplemental Security Income (SSI). The SDX record consists of SSI eligibility and payment data collected by the Social Security Administration. ~~The information available on the SDX information~~ can be used to determine eligibility for CCAP, LIHEAP, Medicaid, SNAP, and TANF.

~~The SDX is an on-line inquiry of almost all individuals in North Dakota who have formally applied for SSI. This information is displayed on the~~

~~SDX1/SDX2 Inquiry Screen (Function 17 on INME in TECS) or on the second page of the TPQY Inquiry Screen (Function 28 on INME in TECS).~~

Individuals are not deleted from the SDX. The state agency always receives the last known information on almost any North Dakota resident who ever applied for SSI and were either denied, received benefits at one time or are currently receiving an SSI benefit. The state agency receives daily files that are processed on the 1st and the 10th of every month which generate the following alerts.

Pay Status Codes and Medicaid Test Indicator Wording definitions can be found on the County Intranet in the NDVerify folder under Economic Assistance-Health Care Coverage.

(Alert tables were not included in this manual letter as there are no changes to them.)

35. 448-01-50-15-40 – Annual Supplemental Security Income (SSI) Cost of Living Allowance (COLA) Increases. Removed reference to SDX in TECS as this information is now available in NDVerify - Other Benefit interface information.

### **Annual Supplemental Security Income (SSI) Cost of Living Allowance (COLA) Increases 448-01-50-15-40**

#### **SSI**

SSI benefit amounts will be updated or added on November 30th rollover in TECS to incorporate the new SSI benefit amounts. This run will update the January Unearned Income (UNIN) screen with the new SSI amount from the SSI/SDX file. On-line alerts will be generated for each SSI case indicating that the income has changed. After rollover on November 30th, ~~the SDX1 and SDX2 screens in TECS~~ NDVerify will show December benefit data. These screens will not be updated with the January benefit information until rollover on December 31st.

Medicaid only SSI cases that are "authorized thru" will remain authorized even if the amounts differ. If a Medicaid recipient becomes ineligible for SSI due to the SSA increase, an alert will be received

before December 20th. The following alerts will be generated:

(Alert tables were not included in this manual letter as there are no changes to them.)

36. 448-01-50-15-45 – Social Security Administration (SSA)/Beneficiary Data Exchange (BENDEX) System. Updated the matching process for BENDEX.

### **Social Security Administration (SSA)/Beneficiary Data Exchange (BENDEX) System 448-01-50-15-45**

#### **SSA**

The Social Security Administration administers the Retirement, Survivors, and Disability Insurance (RSDI) Program which is authorized under Title II of the Social Security Act. SSA is a social insurance program that provides benefits to individuals who have retired, are disabled, survivors of workers who have died and dependents of beneficiaries. The RSDI program is funded through dedicated payroll taxes under the Federal Insurance Contributions Act (FICA).

#### **BENDEX**

The BENDEX is a verification of SSA benefits and Medicare Part A and B effective dates, premium amounts, and who is responsible for the premiums.

The social security number (SSN) of anyone applying for TANF, MA, and/or SNAP is sent to ~~Baltimore~~ SSA for information on the individuals SSA benefit. SSA keeps the SSN's on file and does a monthly match against their information. If there is a difference between the information on file and current information, they send a BENDEX transaction back. ~~When the information is received back from Baltimore, it is~~ The BENDEX transactions are then compared to the SSA information entered into the TECS and Vision systems. If the information does not match, the following alerts will be generated. The eligibility worker must verify the new SSA benefit and/or Medicare premium amounts through NDVerify the ~~TPQY~~ for TANF, Medicaid, and SNAP.

(Alert tables were not included in this manual letter as there are no changes to them.)

37. 448-01-50-15-50 – Annual Supplemental Security Income (SSA) Cost of Living Allowance (COLA) Increases. Removed reference to TPQY in TECS as this information is now available in NDVerify - Other Benefit interface information.

**Annual Social Security Income (SSA) Cost of Living Allowance (COLA) Increases 448-01-50-15-50**

North Dakota does not receive an annual COLA file from SSA for social security benefits. On November 30th rollover, all cases for TANF, Medicaid and SNAP that have SSA or Railroad Retirement Benefits income are unauthorized and the authorized through dates removed. No alerts are generated on these cases. The new SSA benefit and Medicare premium amounts must be verified through NDVerify the ~~TPQY~~ for TANF, Medicaid, CCAP, LIHEAP, and SNAP.

The Basic Care Assistance Program is not part of the MOU agreement; however, since all individuals eligible for Basic Care are in receipt of Medicaid, eligibility workers are allowed to use the SSA information to process Basic Care.

38. 448-01-50-15-55 – Third Party Query Procedures. This section was repealed as it is an interface in NDVerify – Other Benefit interface and addressed under that section.
39. 448-01-50-15-60 – Numident. Changed the Numident file run from monthly to weekly and added the policy references for the individual program policies. These changes supersede IM 5177 and Revised IM 5162.

**Numident 448-01-50-15-60**

Once a week, ~~On approximately the 4th of each month~~ a file is sent to the Social Security Administration (SSA) containing the social security number, last name, first name, sex and date of birth (mm/yy) of all

individuals in TECS and Vision that have not been previously verified by NUMIDENT.

SSA returns the NUMIDENT file the following day ~~around the 15th of each month~~ which verified if client information in TECS and Vision matches with SSA's information for social security number, date of birth, gender, and name. When the return NUMIDENT file is processed, the following indicators display in the NUMIDENT field on Client Profile in TECS or Vision with the results of the match:

- Blank – means the information has not been sent to Social Security Administration
- I – Invalid match for social security number
- S – Sent to Social Security Administration for verification
- V – Valid match for social security number

If the indicator is 'I' (invalid) on client profile, one of the following alerts will be generated.

(Alert tables were not included in this manual letter as there are no changes to them.)

40. 448-01-50-20 – North Dakota Vital Statistics Interface. This section was repealed as it is an interface within NDVerify and addressed under that section.
41. 448-01-50-30 – Motor Vehicle. This section was repealed as it is an interface within NDVerify and addressed under that section.
42. 448-01-50-35 – Child Support Enforcement (FACSES). This section was repealed as it is an interface within NDVerify and addressed under that section.
43. 448-01-50-40 – Public Assistance Reporting Information System (PARIS). Added the processing of PARIS hits in TECS.

**Public Assistance Reporting Information System (PARIS) 448-01-50-40**

The Public Assistance Reporting Information System (PARIS) is a computer data matching and information exchange system administered by the Department of Health and Human Services and Administration for Children and Families (ACF). This system provides States with a tool to improve program integrity in administering Economic Assistance and Health Care Coverage Programs. PARIS is designed to match State enrollment data from TANF, SNAP and Health Care Coverage Programs with data from other participating States and from a selected group of Federal databases.

There are three matches currently received through the PARIS Match:

- ~~The Interstate Match —SSN's are used to match State data with data from all other participating States to determine if recipients are receiving assistance in two or more States.~~
- ~~The Veterans Administration (VA) Match —SSN's are used to match State data from Federal databases to verify recipients who are receiving income and medical coverage/payments from the Department of Veterans Affairs (VA).~~
- ~~The Federal Match —SSN's are used to match State data with information from the Department of Defense (DoD) and Office of Personnel Management (OPM) to determine if recipients are receiving income/pensions from any of these sources or are eligible for Federal health care coverage.~~

~~A file is submitted and the SSN's from our file are matched against other State's and Federal data bases on a quarterly basis. Upon receipt of the return file, a State staff person from each program is provided results of the match.~~

~~If a match is received on a recipient, program staff will contact Eligibility Workers individually and provide instructions for needed processing. The county must take appropriate action and respond back to program staff within 10 days.~~

~~Form SFN 1050 — PARIS Match (Duplicate Benefits) Out of State Inquiry was developed as a tool to obtain verification of Medicaid, SNAP and TANF benefits received in another state.~~

Hits from these matches will appear on the Public Assistance Reporting

Information System (PUAR) screen in TECS and the worker will receive an alert in TECS or Vision.

<b>PARIS Alerts in TECS</b>	
<b>Description</b>	<b>Reason for Alert</b>
<u>PARIS INTERSTATE MATCH REC'D</u>	<p><u>This alert is generated when a record is received through PARIS that an individual may have received SNAP or Medicaid in another State and in North Dakota for the same period.</u></p> <p><u>The worker should check the PARIS Hit in TECS to process the Hit.</u></p>
<u>PARIS VA MATCH RECEIVED</u>	<p><u>This alert is generated when a record is received through PARIS that a Medicaid recipient is receiving a Veterans Benefit.</u></p> <p><u>The worker should check the PARIS Hit in TECS to process the Hit.</u></p>
<u>PARIS FEDERAL MATCH RECEIVED</u>	<p><u>This alert is generated when a record is received through PARIS that a Medicaid recipient is receiving Federal Income.</u></p> <p><u>The worker should check the PARIS Hit in TECS to process the Hit.</u></p>
<u>PARIS NAME MISMATCH</u>	<p><u>This alert is generated when a Medicaid recipient is receiving a Veteran's Benefit or Federal Income but the name in TECS does not match the name received through the interface.</u></p> <p><u>The worker should check the</u></p>

	<u>PARIS Hit in TECS to process the Hit.</u>
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<b>Paris Alerts in Vision</b>		
<b><u>Alert Name</u></b>	<b><u>Description</u></b>	<b><u>Reason for Alert</u></b>
<u>PARIS-INTERSTATE HIT</u>	<u>PARIS Interface information received indicating (Keyword – Client Name of the SSN that matches) has received (Keyword – program that received a hit (SNAP, TANF or Medicaid) assistance in (Keyword – State) for (Keyword MM-YYYY). Check PARIS Information in TECS.</u>	<u>This alert is generated when a record is received through PARIS that an individual may have received TANF or Medicaid in another State and in North Dakota for the same period.</u>  <u>The worker should check the PARIS Hit in TECS to process the Hit.</u>
<u>PARIS-CK VA BENEFIT</u>	<u>PARIS Interface information received indicating (Keyword – Client Name of the SSN that matches) received Veteran’s Administration income in (Keyword MM-YYYY). Check PARIS Information in TECS and verify.</u>	<u>This alert is generated when a record is received through PARIS that a Medicaid or TANF recipient is receiving a Veterans Benefit.</u>  <u>The worker should check the PARIS Hit in TECS to process the Hit.</u>
<u>PARIS-CK FED BENEFIT</u>	<u>PARIS Interface information received indicating (Keyword – Client Name of the SSN that matches) received Federal Benefits in (Keyword</u>	<u>This alert is generated when a record is received through PARIS that a Medicaid or TANF recipient is receiving Federal Income.</u>

	<u>MMYYYY). Check PARIS Information in TECS and verify.</u>	<u>The worker should check the PARIS Hit in TECS to process the Hit.</u>
<u>PARIS NAME MISMATCH</u>	<u>PARIS Interface information received indicating (Keyword – Client Name of the SSN that matches) received VA or Federal Benefits but the name in TECS/Vision does not match the name received through the interface. Check PARIS Information in TECS and verify.</u>	<u>This alert is generated when a Medicaid or TANF recipient is receiving a Veteran’s Benefit or Federal Income but the name in Vision does not match the name received through the interface.</u>  <u>The worker should check the PARIS Hit in TECS to process the Hit.</u>

44. 448-01-50-40-05 – PARIS Interstate Match. This is a new section with information on the PARIS Interstate Match and how to process hits as a result of this match.

### **PARIS Interstate Match 448-01-50-40-05**

SSN’s of Medicaid, SNAP and TANF recipients are matched with data from all other participating States to determine if recipients are receiving assistance in two or more States.

When a hit is received, the other state must be contacted to verify the information for each program listed. Once the verification is received, action must be taken based on the individual program policies.

The results must be recorded on the PATR screen and in the narrative.

Form SFN 1050 – PARIS Match (Duplicate Benefits) Out-of-State Inquiry may be used to obtain verification of Medicaid, SNAP and TANF

benefits received in another State, as a result of the PARIS Interstate Match.

### **Instructions for Completing the SFN 1050**

The eligibility worker completes Section A only. However, the Name (Last, First, MI), Date of Birth and Social Security Number for each person in question must be entered in Section B under the 'Case Members' section. Either fax or mail the SFN 1050 to the State contact provided.

The other State will complete Section B and return the form.

45. 448-01-50-40-10 – PARIS Veterans Administration (VA) Match. This is a new section with information on the PARIS Veterans Administration Match and how to process hits as a result of this match.

### **PARIS Veterans Administration (VA) Match**

SSN's are used to match data from Federal databases to verify recipients who are receiving income and medical coverage/payments from the Department of Veterans Affairs (VA).

Hits from this match will only be given if the recipient is eligible for Medicaid or TANF. Hits will not be given if the recipient is eligible for SNAP only or if the only eligible individual is a child who is in receipt of Subsidized Adoption or HCBS services. If the recipient is also in receipt of Basic Care, CCAP, LIHEAP or SNAP, income verification received as a result of the PARIS hit must also be acted on.

**Note:** The amount listed on a hit may differ from the amount entered into the TECS or Vision system by \$1.00. This is due to the rounding process when the payments are reported. The actual amount the individual is entitled to receive must be used to determine eligibility.

When a hit is received, if the verification is in the case file, the eligibility worker must then determine if the verification was used correctly. If the verification is not in the case file, for Medicaid or TANF,

the following steps must be used to verify the hit.

1. The worker must send a notice within 30 days from the date of the PARIS hit, requesting the verification and informing the household they must clarify the veteran's income. The PARIS Income Verification notice should be used.
2. If the household contacts the eligibility worker and requests assistance in obtaining the information, the eligibility worker must assist the household. A release of information must be used when contacting the source.
3. If the household fails to respond within 30 days, an advance notice to close Medicaid or TANF must be sent to the household. However, the verification process must continue.

**Note:** If the household informs the eligibility worker that they have requested the information but the information has not been received, additional time may be granted. This must be documented in the case file.

4. If the household does not provide the information, the eligibility worker must contact the source to verify the information. A release of information must be used when contacting the source.

If the source does not provide the verification, refer to:

- TANF policy - 400-19-130-15
- SNAP Policy - 430-05-80-23
- Medicaid policy - 510-05-10-25

5. If the household or the source provides the verification, refer to:

- TANF policy - 400-19-130-15
- SNAP Policy - 430-05-80-30
- Medicaid policy - 510-05-10-25

The results must be recorded on the PATR screen and the narrative.

46. 448-01-50-40-15 – PARIS Federal Income Match. This is a new section with information on the PARIS Federal Income Match and how to process hits as a result of this match.

**PARIS Federal Income Match 448-01-50-40-15**

SSN's are used to match state data with information from the Department of Defense (DOD) and Office of Personnel Management (OPM) to determine if recipients are receiving income/pensions or are eligible for Federal health care coverage from any of these sources.

Hits for this match will only be given if the recipient is eligible for Medicaid or TANF. Hits will not be given if the recipient is eligible for SNAP only or if the only eligible individual is a child who is in receipt of Subsidized Adoption or HCBS services. If the recipient is also in receipt of Basic Care, CCAP, LIHEAP or SNAP income verification received as a result of a PARIS hit must also be acted on.

**Note:** The amount listed on a hit may differ from the amount entered into the TECS or Vision system by \$1.00. This is due to the rounding process when the payments are reported. The actual amount the individual is entitled to receive must be used to determine eligibility.

When a hit is received, if the verification is in the case file, the eligibility worker must determine if the verification was used correctly. If the verification is not in the case file, for Medicaid or TANF, the following steps must be used to verify the hit.

1. The worker must send a notice within 30 days from the date of the PARIS hit, requesting the verification and informing the household they must clarify the federal income. The PARIS Income Verification notice should be used.
2. If the household contacts the eligibility worker and requests assistance in obtaining the information, the eligibility worker must assist the household. A release of information may be required when contacting the source.

3. If the household fails to respond within 30 days, an advance notice to close Medicaid or TANF must be sent to the household. However, the verification process must continue.

**Note:** If the household informs the eligibility worker that the requested information has not been received, additional time may be granted. This must be documented in the case file.

4. If the household does not provide the information, the eligibility worker must contact the source to verify the information. A release of information may be required when contacting the source.

If the source does not provide the verification, refer to:

- TANF policy - 400-19-130-15
- SNAP Policy - 430-05-80-23
- Medicaid - 510-05-10-25

5. If the household or the source provides the verification refer to:

TANF policy - 400-19-130-15  
SNAP Policy - 430-05-80-30  
Medicaid policy - 510-05-10-25

The results must be recorded on the PATR screen and the narrative.