

CF OPERATING PROCEDURE
NO. 60-13

STATE OF FLORIDA
DEPARTMENT OF
CHILDREN AND FAMILIES
TALLAHASSEE, August 8, 2019

Human Resources

COLLECTION AND USE OF SOCIAL SECURITY NUMBERS
BY DCF EMPLOYEES AND OTHERS ACTING ON BEHALF OF THE DEPARTMENT

1. Purpose. This operating procedure describes the requirements for collecting, maintaining, accessing, and releasing Social Security Numbers.
2. Scope. This operating procedure applies to all Department employees, volunteers, contractors/subcontractors, consultants and others acting on behalf of the Department who collect, maintain, or have access to Department data or documents containing Social Security Numbers.
3. References.
 - a. Section 119.071(5)(a), Florida Statutes.
 - b. CFOP 50-2, Security of Data and Information Technology Resources.
 - c. CFOP 50-22, Acceptable Use of Information Technology Resources.
4. Definitions. For the purposes of this operating procedure, the following definitions shall apply:
 - a. Employee. Any person employed by the Department in an established position in the Senior Management Service, Selected Exempt Service, Career Service, or paid from Other Personal Services (OPS) funds.
 - b. System User. A Department employee or volunteer or paid or unpaid intern, or a community-based provider, consultant, contractor or subcontractor that has access to any manual or electronic system used to conduct business on behalf of the Department of Children and Families.
5. Policy. The Department is committed to ensuring the privacy and confidentiality of information that it collects, maintains, or transmits. The Department and its System Users shall request and use Social Security Numbers only as required for the performance of the Department's duties and responsibilities as determined by state and federal laws. The Department and its System Users will safeguard Social Security Numbers from inappropriate release or disclosure, and shall ensure that the collection, use, or release of Social Security Numbers complies with specific applicable federal or state law.
6. Procedures.
 - a. Collection of Social Security Numbers.
 - (1) The Department or the contractor/subcontractor acting on the Department's behalf may not collect an individual's Social Security Number unless specifically authorized by law to do so, or the collection of the Social Security Number is imperative for the performance of the Department's duties and responsibilities as prescribed by law. The Department or the contractor/subcontractor acting on the Department's behalf must state in writing the purpose for such collection.

(2) The Department or the contractor/subcontractor acting on the Department's behalf must provide a copy of the written statement required in paragraph (1) above to each individual whose Social Security Number is collected by any manual or electronic process. The written statement must:

- (a) Identify the purpose for which the Social Security Number is being collected;
- (b) Tell the individual whether disclosing the Social Security Number is mandatory or voluntary;
- (c) Identify the specific statutory or other authority governing the collection, use, or release of the Social Security Number;
- (d) Identify any authorized exceptions that apply to the collection, use, or release of the Social Security Number; and,
- (e) Identify the uses that will be made of the individual's Social Security Number.

(3) The Department or the contractor/subcontractor acting on the Department's behalf may not use a Social Security Number for any other purposes other than the purpose for which it was collected.

b. Management of Social Security Numbers.

(1) No part of a Social Security Number may be disclosed unless it is disclosed in accordance with paragraph 6c of this operating procedure. All Social Security Numbers must be redacted from a document prior to providing that document under a public records request.

(a) No part of a Social Security Number may be displayed or distributed electronically via e-mail, whether in the body of the e-mail message or in an attachment, unless the file or e-mail containing the Social Security Number is encrypted.

(b) No part of a Social Security Number may be included in a purchase requisition or purchase order, or in an attachment to a purchase requisition or purchase order.

(2) All System Users shall comply with Department policies on protecting confidential information, including CFOP 50-2, Security of Data and Information Technology Resources. Each ITS System User will complete and sign form CF 114, Security Agreement (available in DCF Forms), prior to being granted access to any ITS system. In addition, each Department employee will comply with CFOP 50-22, Acceptable Use of Information Technology Resources.

(3) Each program office and administrative area of the Department shall review whether its collection of Social Security Numbers is in compliance with this operating procedure and with section 119.071(5)(a), Florida Statutes. If the collection for a particular purpose is not in compliance, the Department shall immediately discontinue the collection for that purpose.

c. Disclosure of Social Security Numbers.

(1) Social Security Numbers held by the Department or a contractor/subcontractor acting on the Department's behalf are confidential and exempt from the disclosure requirements in section 119.07(1), Florida Statutes and section 24(a), Article 1 of the State Constitution.

(2) Social Security Numbers held by the Department or a contractor/subcontractor acting on the Department's behalf may be disclosed if any of the following apply:

(a) Disclosure is expressly required by federal or state law, or a court order.

(b) Disclosure is necessary for the agency or governmental entity receiving the Social Security Number to perform its duties and responsibilities.

(c) An individual expressly consents in writing to disclosure of his or her Social Security Number.

(d) Disclosure is made to comply with the USA Patriot Act of 2001 (Public Law 107-56) or Presidential Executive order 13224.

(e) Disclosure is made to a commercial entity for the permissible uses set forth in the federal Driver's Privacy Protection Act of 1994 (18 U.S. Code ss. 2721 et seq.), The Fair Credit Reporting Act (15 U.S. Code ss. 1681 et seq.), or the Financial Services Modernization Act of 1999 (15 U.S. Code ss. 6801 et seq.).

(f) Disclosure is for the purpose of the administration of health benefits for a Department/contractor/subcontractor employee or his or her dependents.

(g) Disclosure is for the purpose of the administration of a pension fund, deferred compensation plan, or defined contribution plan.

(h) Disclosure is for the purpose of the administration of the Uniform Commercial Code by the office of the Secretary of State.

(3) Any unauthorized or impermissible disclosure or use of a Social Security Number by a Department employee could result in disciplinary action up to and including dismissal. Additionally, if any federal or state law is violated, the employee could also be subject to federal or state sanctions.

BY DIRECTION OF THE SECRETARY:

(Signed original copy on file)

TONY B. LLOYD
Assistant Secretary for
Administration