

110TH CONGRESS
2D SESSION

S. 3512

To require the Secretary of Health and Human Services to remove Social Security account numbers from Medicare identification cards and communications provided to Medicare beneficiaries in order to protect Medicare beneficiaries from identity theft.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 17, 2008

Mr. DURBIN (for himself, Mr. BINGAMAN, and Mr. KOHL) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To require the Secretary of Health and Human Services to remove Social Security account numbers from Medicare identification cards and communications provided to Medicare beneficiaries in order to protect Medicare beneficiaries from identity theft.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Social Security Num-
5 ber Protection Act of 2008”.

1 **SEC. 2. REQUIRING THE SECRETARY OF HEALTH AND**
2 **HUMAN SERVICES TO PROHIBIT THE DIS-**
3 **PLAY OF SOCIAL SECURITY ACCOUNT NUM-**
4 **BERS ON MEDICARE IDENTIFICATION CARDS**
5 **AND COMMUNICATIONS PROVIDED TO MEDI-**
6 **CARE BENEFICIARIES.**

7 (a) IN GENERAL.—Not later than 3 years after the
8 date of the enactment of this Act, the Secretary of Health
9 and Human Services shall establish and begin to imple-
10 ment procedures to eliminate the unnecessary collection,
11 use, and display of Social Security account numbers of
12 Medicare beneficiaries.

13 (b) MEDICARE CARDS AND COMMUNICATIONS PRO-
14 VIDED TO BENEFICIARIES.—

15 (1) CARDS.—

16 (A) NEW CARDS.—Not later than 3 years
17 after the date of the enactment of this Act, the
18 Secretary of Health and Human Services shall
19 ensure that each newly issued Medicare identi-
20 fication card meets the requirements described
21 in subparagraph (C).

22 (B) REPLACEMENT OF EXISTING CARDS.—
23 Not later than 5 years after the date of the en-
24 actment of this Act, the Secretary of Health
25 and Human Services shall ensure that all Medi-
26 care beneficiaries have been issued a Medicare

1 identification card that meets the requirements
2 of subparagraph (C).

3 (C) REQUIREMENTS.—The requirements
4 described in this subparagraph are, with respect
5 to a Medicare identification card, that the card
6 does not display or electronically store (in an
7 unencrypted format) a Medicare beneficiary’s
8 Social Security account number.

9 (2) COMMUNICATIONS PROVIDED TO BENE-
10 FICIARIES.—Not later than 3 years after the date of
11 the enactment of this Act, the Secretary of Health
12 and Human Services shall prohibit the display of a
13 Medicare beneficiary’s Social Security account num-
14 ber on written or electronic communication provided
15 to the beneficiary unless the Secretary determines
16 that inclusion of Social Security account numbers on
17 such communications is essential for the operation of
18 the Medicare program.

19 (c) MEDICARE BENEFICIARY DEFINED.—In this sec-
20 tion, the term “Medicare beneficiary” means an individual
21 who is entitled to, or enrolled for, benefits under part A
22 of title XVIII of the Social Security Act or enrolled under
23 part B of such title.

24 (d) CONFORMING REFERENCE IN THE SOCIAL SECU-
25 RITY ACT.—Section 205(c)(2)(C) of the Social Security

1 Act (42 U.S.C. 405(c)(2)(C)) is amended by adding at the
2 end the following new clause:

3 “(x) For provisions relating to requiring the Sec-
4 retary of Health and Human Services to prohibit the dis-
5 play of Social Security account numbers on Medicare iden-
6 tification cards and communications provided to Medicare
7 beneficiaries, see section 2 of the Social Security Number
8 Protection Act of 2008.”.

9 (e) AUTHORIZATION OF APPROPRIATIONS.—There
10 are authorized to be appropriated such sums as may be
11 necessary to carry out this section.

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