Ask a Lawyer

Identity Security Awareness

Nayna C. Philipsen, JD, PhD, RN, LCCE, FACCE

NAYNA PHILIPSEN is Director of Education, Examination, Research, and Communication for the Maryland Board of Nursing. She is also a health educator at St. Agnes HealthCare in Baltimore, Maryland, and a Certified Fraud Examiner.

Abstract

Identity theft is an increasing concern when organizations, businesses, and even childbirth educators ask for a client's Social Security number for identification purposes. In this column, the author suggests ways to protect one's identity and, more importantly, decrease the opportunities for identity theft.

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Question: The organization I work with has always asked for the expectant mother's Social Security number as an identifier when clients register for prenatal education classes. Recently, several of my couples have come to me and objected to this. I know that the Social Security number is commonly used for identification purposes. When I was in school, our grades were listed by Social Security numbers instead of our names. Some couples even have this number printed on their checks. A lot of names are common, and people are very mobile, so it is important to have a unique identifier. Is there a legal problem with asking for Social Security numbers as an identifier?

—An LCCE educator in Texas

Answer: You are correct in stating that Social Security numbers have been used for many purposes other than for Social Security, but that must change. A growing concern among members of the public reflects at least one good reason to protect one's Social Security number. With increased technology in communication, *identity theft* is becoming more and more common,

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and has been recently tied to terrorism. This is both a *privacy* issue and a *security* issue. All that any good identity thief needs these days to assume your identity is your Social Security number and a computer. Identity theft is clearly on the rise. I am amazed at how many people still call the state agency where I work and leave their name, telephone number, and Social Security number on a voice mail machine.

As a Lamaze Certified Childbirth Educator, you may think, "I am not going to assume anyone's identity. Surely couples do not think I am a thief?" Of course your couples trust you. They do not suspect you of being an identity thief. They are just being careful. But you do not really want their Social Security numbers, even if they offer them. Why not? Because if you possess the Social Security numbers, you are responsible for their safekeeping. It is just another burden for you to be responsible for protecting a collection of Social Security numbers. Do you or does your organization keep the documents with these numbers locked up when you are not using them? You should. Do you burn or shred them when the mother is no longer your client? You should. And what if you missed shredding or burning a paper with someone's Social Security number and a thief later pulled it from your trash? Many people sift through the trash or unguarded mailboxes, looking for just such a paper. It is a risk that you do not need to take.

Bills have recently been introduced in the U.S. Congress to ban anyone—even state agencies, schools, and hospitals—from using the Social Security number as an identifier. California has already passed legislation protecting Social Security numbers. In a few years,

In this electronic age, giving out your Social Security number is like leaving your checkbook and billfold out on the hood of your car while you go for a walk.

you and many others will likely have to stop this practice. I suggest that you change it now.

The following suggestions offer ways to protect your identity and, more importantly, decrease the opportunities for identity theft.

1. Use a date of birth, the father's name, or some other individual identifier if you need something in addition to name, address, telephone number, and e-mail address. Encourage your employer to do the same. This protective measure will come to employers sooner or later, and sooner is better. Agencies using Social Security numbers should develop a plan to function without them.
2. *Do not* disclose any Social Security numbers to which you have access through your work.
3. Never give out your own Social Security number unless you must (e.g., to the Internal Revenue Service), and never over the Internet, telephone, or by mail, unless *you* initiated the contact. In this electronic age, doing so is like leaving your checkbook and billfold out on the hood of your car while you go for a walk. Opportunity creates the crime of fraud.
4. Practice mailbox safety to minimize the chance that theft from your mailbox will cause you or others grief in the future. Do not leave checks, confidential materials, or credit card information in your mailbox. Take them to the post office to mail. Do not raise the flag for outgoing mail left in your mailbox. This is a signal for the mailman and for a thief. If you receive a lot of checks in the mail, consider having a post office box.
5. Know when you expect credit card bills and bank statements. Call the company or bank if a statement does not arrive on time. It may have been taken from your mailbox.
6. Check your bank statements as soon as you receive them each month and call the bank *immediately* if something is wrong or does not look like it is yours. You only have 15 days to report an error and require the bank to absorb the loss. After that, the loss is yours.
7. Check your credit rating at least twice a year. That may be the only way to discover someone

has taken a credit card offer addressed to you and submitted an application for credit in your name. When this action is accompanied or preceded by a fraudulent change of address, the victim may receive no notice for a long time. You can obtain reports from a local credit-reporting agency or from Equifax, Experian, or Trans Union.

8. Write to your representatives in the U.S. Congress and in state government and urge them to place a high priority on new laws that respond to the current, serious threat of identity theft. These include laws that penalize the criminals, limit opportunity (e.g., legislation introduced to

limit the use of Social Security numbers), and reduce the financial liability of victims.

9. Finally, when you give your couples information about getting Social Security numbers for their new babies, use this opportunity to share with them the need they have as parents to protect that number and keep it safe for their child.

Identity security awareness is an adaptation to the emerging technology in our world, just as electrical outlet safety awareness was a response to the new technology at the turn of the last century. Childbirth teachers have always led the way in giving new parents the information and skills they need to adapt and be safe.