



STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
File:

Committee on Judiciary & Government Operations
SB 0928, Relating to Social Security Number Protection

Testimony of Chiyome Leinaala Fukino, M.D.
Director of Health
February 10, 2009

1 **Department's Position:** The Department strongly supports this Administration-sponsored proposal.

2 **Fiscal Implications:** None.

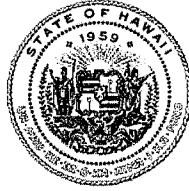
3 **Purpose and Justification:** Historically, government agencies and private businesses have used social
4 security numbers for a wide range of non-social security purposes – such as for employee files, medical
5 records, health insurance accounts, credit and banking accounts, and many more. As computer
6 technology has advanced, the use of social security numbers as an identifier has been increasingly
7 restricted as it is a critical component of information sought by criminals for use in crimes such as
8 identity theft.

9 Currently, section 338-4, Hawaii Revised Statutes (HRS), mandates the Department of Health to
10 provide each county clerk through the Office of Elections a list of names of all citizens of voting age and
11 over whose deaths have been recorded in the department during each month to update voter registration
12 lists. Statutory language is “. . . such . . . information . . . that will be of assistance to the county clerk in
13 identification.” The Office of Elections has determined that “such information” must include the full
14 social security number of the identified deceased individuals.

1 This particular section of chapter 338, HRS, was first enacted in 1949 and last updated in 1981 –
2 long before sophisticated electronic transactions and cyber crime became part of everyday business.
3 This proposal seeks to amend section 338-4, HRS, to state what information the Department is required
4 to provide to the county clerks, specifically speaking to transmitting only redacted social security
5 numbers. We believe that providing full name, date of birth, and the last four numbers of the social
6 security number of the deceased is sufficient to update voter registration lists. In the unlikely event that
7 two persons have the same full name, date of birth and redacted social security number, the Department
8 will assist the county clerks in doing the proper identification.

9 We believe strongly this change in statute is critical to help prevent identity theft-related crime
10 while supporting the Office of Elections and the county clerks in their important duty of updating voter
11 registration lists.

12 Thank you for the opportunity to provide testimony on this important measure.
13



LINDA LINGLE
GOVERNOR

JAMES R. AIONA, JR.
LT. GOVERNOR

STATE OF HAWAII
OFFICE OF THE DIRECTOR
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LAWRENCE M. REIFURTH
DIRECTOR

RONALD BOYER
DEPUTY DIRECTOR

PRESENTATION OF THE
OFFICE OF CONSUMER PROTECTION

TO THE SENATE COMMITTEE ON JUDICIARY AND GOVERNMENT OPERATIONS

TWENTY-FIFTH STATE LEGISLATURE
Regular Session 2009

Tuesday, February 10, 2009
9:00 a.m.

WRITTEN TESTIMONY

**TESTIMONY ON SENATE BILL NO. 928 - RELATING TO SOCIAL SECURITY
NUMBER PROTECTION.**

TO THE HONORABLE BRIAN T. TANIGUCHI, CHAIR, AND MEMBERS OF THE
COMMITTEE:

The Department of Commerce and Consumer Affairs ("Department") appreciates the opportunity to testify in support of Senate Bill No. 928, Relating to Social Security Number Protection. My name is Stephen Levins, and I am the Executive Director of the Office of Consumer Protection, representing the Department.

Senate Bill No. 928 seeks to redefine the data that the Department of Health must report to county clerks. Pursuant to its provisions, full social security numbers would no longer be provided. Instead, only the last four digits of the social security numbers would be provided for purposes of identification. The Department supports this bill because it believes that there should be limitations on the unnecessary disclosure of social security numbers.

Identity theft is a serious crime, with lasting negative repercussions on the finances and life of the person whose identity is stolen. One of the tools most frequently used to steal a person's identity is the person's social security number, the key to a consumer's financial identity. Its current widespread use as an identifier has made it relatively easy for thieves to assume false identities and gain access to financial accounts and other sensitive information of innocent victims. Minimizing its use and display is important.

Unless there are compelling reasons for retaining the current statutory requirements mandating the listing of social security numbers in their entirety, the Department believes that this requirement should not be retained. Repealing the unnecessary listing of social security numbers promotes the privacy interests of individuals and eliminates a potential source of information for identity thieves.

Thank you for this opportunity to provide testimony on Senate Bill No. 928.



**STATE OF HAWAII
OFFICE OF ELECTIONS**

802 LEHUA AVENUE
PEARL CITY, HAWAII 96782
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KEVIN B. CRONIN
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AARON H. SCHULANER
GENERAL COUNSEL

TESTIMONY OF THE
CHIEF ELECTION OFFICER, OFFICE OF ELECTIONS
TO THE SENATE COMMITTEE ON JUDICIARY
ON SENATE BILL NO. 928
RELATING TO ELECTIONS

February 10, 2009

Chair Taniguchi and members of the Senate Committee on Judiciary and Government Operations, thank you for the opportunity to testify on House Bill No. 928. The purpose of this bill is to change the information provided by the department of health to the county clerks for the purposes of removing deceased voters from the voter rolls.

The Office of Elections opposes Senate Bill 928.

The list of the registered voters serves a critical and irreplaceable role in administering elections, as is the accuracy of the date contained on the list.

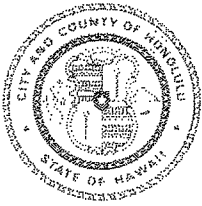
Currently, the department of health submits to the county clerks the necessary information – including full social security numbers – of deceased individuals. It is a system that is accurate, efficient and ensures that each county can continually maintain its voter roll.

While “modernized data matching” may provide a higher degree of certainty when dealing with lower level information, it can potentially result in mismatches, inadvertent removals, or non-removal. On balance, given the current safeguards that are in place to protect voter identity, this proposed system poses a likely greater risk to the general public.

Thank you for the opportunity to testify on Senate Bill No. 534.

Respectfully Submitted:

By Kevin Cronin



ELECTIONS

OFFICE OF THE CITY CLERK
530 SOUTH KING STREET, ROOM 100
HONOLULU, HAWAII 96813-3077
TELEPHONE: (808) 768-3800

BERNICE K.N. MAU
Acting City Clerk

Committee on Judiciary and Government Operations
February 10, 2009
9:00 a.m. Rm. 016

TESTIMONY IN OPPOSITION TO SB 928 RELATING TO SOCIAL SECURITY NUMBER PROTECTION

Chairman Taniguchi and Members of the Committee:

The Office of the City Clerk opposes this measure as it is unnecessary and seeks to prevent a problem that has not occurred in the history of the reporting of death information to the County Clerks.

While the goal of protecting personal information is always worthy of consideration, the committee should be aware that even with passage of this bill, it is our understanding that the Department of Health provides the same social security number, name, and other information to the Social Security Administration that resells the personal information to any purchaser in a product called the SSA Death Master File (see attached).

Notwithstanding the difficulty this measure causes for election offices to effectively and accurately identify deceased persons on the voter rolls, it is our contention that certainly, if the Department of Health is capable of reporting/selling Hawaii personal data for distribution to other users across the country, it should also continue to provide the same information to election offices utilizing the information for a legitimate public purpose.

Thank you for the opportunity to provide comments.

NTIS Products

Social Security Administration's Death Master File

Disclaimer

The products advertised on this website contain the complete and official Social Security Administration (SSA) database extract, as well as updates to the full file of persons reported to SSA as being deceased. SSA cannot guarantee the accuracy of the DMF. Therefore, the absence of a particular person on this file is not proof that the individual is alive. Further, in rare instances it is possible for the records of a person who is not deceased to be included erroneously in the DMF.

Death Master File, Full File -- Now Available on DVD

The Death Master File is available through the official distributor of the Social Security Administration, NTIS. The file is used by leading government, financial, investigative, credit reporting organization, medical research and other industries to verify identity as well as to prevent fraud and comply with the USA Patriot Act. To assist in this effort, NTIS and SSA are working together to offer the SSA Death Master File more frequently, with fewer delays, and in different formats.

Now this essential data can be searched online, negating the need for small to medium sized organizations to maintain and update a large data file.

Prevent Identity Fraud

By methodically running financial, credit, payment and other applications against the Death Master File, the financial community, insurance companies, security firms and state and local governments are better able to identify and prevent identity fraud. The USA Patriot Act (Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001), requires an effort to verify the identity of customers, including procedures to verify customer identity and maintaining records of information used to verify identity. A user may now access an online search application or maintain a raw data version of the file. The online service is updated weekly and the weekly and monthly updates are offered electronically via https, reducing handling and production time.

Verify Identity

The Death Master File in an online search application or as raw data on CD is also important for identification verification other than for preventing fraud. Medical researchers, hospitals, oncology programs all need to track former patients and study subjects. Investigative firms use the data to identify persons, or the death of persons, in the course of their investigations. Pension funds, insurance organizations, Federal, State and Local governments and others responsible for payments to recipients/retirees all need to know if they might be sending

Quick Links

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checks to deceased persons. Individuals may search for loved ones, or work toward growing their family trees. Professional and amateur genealogists can search for missing links.

Data File

The Death Master File (DMF) from the Social Security Administration (SSA) contains over 65 million records of deaths that have been reported to SSA. This file includes the following information on each decedent, if the data are available to the SSA: social security number, name, date of birth, date of death, state or country of residence (2/88 and prior), ZIP code of last residence, and ZIP code of lump sum payment. The SSA does not have a death record for all persons; therefore, SSA does not guarantee the veracity of the file. Thus, the absence of a particular person is not proof this person is alive.

• Keeping Social Security Death Master Data Up-to-date

The Social Security Administration has mandated that subscribers to the Death Master File raw data keep the DMF information complete and up-to-date. If this is not done, inaccuracies are created in the DMF database that contribute to erroneous information about individual citizens.

• File Specifications

View or download the DMF file specifications (in PDF format). [To download this file directly to your computer, press the link above while holding the *SHIFT* key for PC's, the *Option* key for Macs.]

Product Description	NTIS Order Number	Availability
• <u>Social Security Administration Death Master Online Search</u>	6 versions	
• <u>Social Security Administration Death Master File (Full File) Quarterly</u>	SUB-5251INQ	Click on the links to the left for ordering information.
• <u>Social Security Administration Death Master Weekly Updates File</u>	SUB-5465INQ	
• <u>Social Security Administration Death Master Monthly Updates File</u>	SUB-5446INQ	

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TESTIMONY OF
ROY T. HIRAGA, COUNTY CLERK, COUNTY OF MAUI
TO THE SENATE COMMITTEE ON JUDICIARY AND GOVERNMENT OPERATIONS
ON SENATE BILL NO. 928
RELATING TO SOCIAL SECURITY NUMBER PROTECTION

February 9, 2009

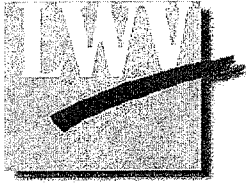
Chair Taniguchi and Committee Members of the Senate Committee on Judiciary and Government Operations, thank you for the opportunity to submit testimony opposing Senate Bill No. 928. This measure limits the social security number information that the Department of Health ("DOH") must initially report to the county clerks to the last four digits of a decedent's social security number.

Contrary to the assertion that modern data matching procedures are effective and "render the use of full social security numbers unnecessary and inefficient", it is the use of the full social security number as a unique identifier that is at the heart of the integrity, accuracy, and reliability of the statewide voter registration system.

While the Office of the County Clerk appreciates the ostensible purpose of this measure, i.e., to reduce opportunities for identity theft, we respectfully question the motivation of the DOH in view of its practice of selling death-list information. We are informed that the DOH sells to the United States Social Security Administration the information it is currently required to provide the county clerks pursuant to Hawaii Revised Statutes section 338-4. The information provided to the Social Security Administration includes the full social security number of deceased individuals.

Thank you for the opportunity to submit testimony opposing Senate Bill No. 928

ROY T. HIRAGA
County Clerk
County of Maui



THE LEAGUE OF WOMEN VOTERS OF HAWAII

TESTIMONY ON SB 928 RELATING TO SOCIAL SECURITY NUMBER PROTECTION

Committee on Judiciary and Government Operations
Tuesday, February 10, 2009
9:00 a.m.
Conference Room 016

Testifier: Jean Aoki, LWV Legislative Liaison,

Chair Taniguchi, Vice Chair Takamine, members of JGO Committee,

The League of Women Voters of Hawaii supports SB 928 relating to Social Security number protection.

It is essential that our voter rolls be kept as current as possible, and the correct data from the Health Department be submitted on deceased persons. However, at the same time, in this day of out-of-control identity thefts, care must be taken to safeguard documents like our social security numbers. The use of the last four digits does offer a great deal of protection.

The amendment that would require the whole social security number when needed for more positive identification because of the match in information between two or more names is appropriate. However, we would suggest that the middle initial(s) of the deceased be included in the initial information sent to the county clerks by the Department of Health. This should make a considerable difference in the number of matching information.

Thank you for this opportunity to testify on SB 928.