

Date: June 6, 2007
Note to: Bonnie Harkless, OSORA
Subject: OMB Passback -- 0938-0080 ESRD Collection (CMS-43)

Below is our response to [OMB's passback request to:](#)

- [Delete box 9 \(c\) on form CMS-43 and](#)
- [Remove the request for the SSN in box 16 \(b\) and 17.](#)

[Specifically, OMB is requesting that all solicitations for a SSN other than that of the individual filing the application be removed from form CMS-43 and an alternate identifier be used in lieu of the SSN.](#)

[Justification for solicitation of SSNs](#)

[In order to be entitled to premium-free Hospital Insurance \(Part A\) under the End Stage Renal Disease Provisions, an individual must be insured, that is, s/he must have worked the required amount of time under social security, the railroad retirement board \(RRB\) or as a government employee, or be the spouse or child of such an individual \(REF: §226A\(a\)\(1\) of the Social Security Act\). The individual must also file an application for such benefits. Form CMS-43 – Application for Hospital Insurance Benefits For Individuals With End Stage Renal Disease, contains the following statement: “Items 9 through 17 request information needed to determine insured status for Medicare entitlement.”](#)

[Boxes 9 and 10 ask if the individual has filed an application for benefits and/or Medicare under social security or the RRB. If the response is yes, the individual is asked to provide the SSN or the railroad number under which the application was filed. The SSN and railroad number are needed to determine if entitlement to benefits/Medicare is pending or already exists. If entitlement already exists, then insured status has been determined. If entitlement is pending then development for insured status has been initiated. Since all records \(title II and title XVIII\) in SSA are established and maintained by SSN, that number must be requested to determine if entitlement exists or is pending. Boxes 16 and 17 are to be completed if the individual is not insured on his/her own work record, i.e., has not worked at least 2 out of the last 3 years. In this case, the individual can use the insured status of a parent or spouse to establish entitlement to Part A \(REF: §226A\(a\)\(1\)\(C\) of the Act\). Box 16 is completed if the individual is or was married. The SSN of the spouse is required to determine if the spouse is insured. Since work records under social security are SSN based, there isn't an alternative identifier that can be used by SSA to obtain earnings data. Box 17 is to be completed by individuals who are not insured on their own work record and are not and have not been married. Generally, this box is completed on behalf of a child. The SSNs of the parent\(s\) are required to determine if they are insured. As previously stated there are no alternative identifiers that can be used by SSA to obtain earnings information.](#)

[If you have any questions or require additional information you may contact Margaret Jefferson \(64482\) or Naomi Rappaport at 62175.](#)

Margaret Jefferson
Division of Enrollment and Eligibility Policy