

**From:** Matsuoka, Karen Y.  
**Sent:** Wednesday, October 10, 2007 6:42 PM  
**To:** 'Davidson, Liz'  
**Cc:** Lebowitz, Naomi  
**Subject:** RE: Status of your Questions on the SSA-84, SSA-1696, SSA, 91

Liz, my responses are below. – Karen

---

**From:** Davidson, Liz [mailto:Liz.Davidson@ssa.gov]  
**Sent:** Tuesday, October 09, 2007 10:14 AM  
**To:** Matsuoka, Karen Y.  
**Cc:** Lebowitz, Naomi  
**Subject:** FW: Status of your Questions on the SSA-84, SSA-1696, SSA, 91

Karen,

Below is the information in response to our conference call.

**Regarding the SSA-1696:**

- The checkbox was added to the SSA-1696 in order to eliminate the need for the SSA-3288. Therefore, we will not be using the SSA-3288 in conjunction with the SSA-1696 after OMB approves the addition of the checkbox.

This is fine (see earlier email).

**Regarding the SSA-84 and SSA-91:**

- The SSA-3288 cannot be modified for parents/guardians signing the release of medical information for children as such authorization is not allowed under SSA regulations governing disclosures with consent: 20 CFR 401.100(b) states "A parent or guardian of a minor is not authorized to give consent to a disclosure of a minor's medical record."

If a parent/guardian is not authorized to give consent for disclosure of minors' medical records, then how is form SSA-91 legal? SSA-91 appears to be used by parents/guardians to give consent for disclosure of minors' medical records to the treating source.

Since form 91 is only going to be used for parents/guardians to release a minor's medical report to the treating source, why can't SSA 3288 be used for that purpose? (i.e. in the "name/address" section, why couldn't the parent/guardian list the child's treating source and "minor's medical report" be listed as the relevant information being released?)

- However, a parent/guardian can gain access to the minor's medical record, if a request is made on behalf of the minor, by designating a physician or other health professional as a representative. The physician or health professional would be obligated to turn all of the minor's medical records to the parent/guardian.
  - SSA does not currently have any form for requesting access to medical records of a minor or designating a health professional representative. The SSA-91 would fill this need.
- While SSA could use the SSA-3288 for adult claimants and the SSA-91 for child claimants, this is not the preferred method.

- o If we use both the SSA-3288 and the SSA-91 we are creating the potential for unnecessary processing errors which would not exist if we only use one form for all of the claimants which OMVE processes. For this reason, SSA would prefer to use only the SSA-91.
- SSA has removed the Service Request Number from the SSA-91 (as we no longer require it for processing), and has made some minor changes to both the SSA-84 and the SSA-91. With the exception of the removal of the Service Request Number, the revisions are non-substantial (see attached revised addendums and revised forms).

The changes to SSA-91 are fine. But since this ICR contains only SSA-91, the revisions to SSA-84 will have to be made separately.

Please let me know if we need any further information.

*Liz Davidson*  
*SSA Reports Clearance Officer*  
*DCBFM, OPLM, OPUM*  
*410-965-0454*  
*Pager: 410-909-8175*  
*Fax: 410-965-6400*