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Title 22@ Social Security

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Division 1@ Employment Development Department

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Subdivision 1@ Director of Employment Development

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Division 1@ Unemployment and Disability Compensation

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Part 2@ Disability Compensation

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Chapter 2@ Disability Benefits

2706-8 Identity and Wage Verification for State Disability

Article 4@ Filing, Determination and Payment of Disability Benefit Claims

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Section 2706-8@ Identity and Wage Verification for State Disability Insurance Benefits

Insurance Benefits

(a)

For the purpose of this section, the following terms are defined as follows:

(b)

"Social Security Number," and "Social Security Account Number," both mean the nine-digit account number issued by the Social Security Administration to an individual for the purpose of recording that individual's earnings or for use by that individual when required by federal law to receive a benefit or service.

(c)

"Social Security Number Verification" means verification of the social security number, received by the department from the claimant, by either submission of a copy of the claimant's annual statement issued to the claimant by the Social Security Administration, or by verification of that claimant's social security number submitted to the department directly from the Social Security Administration.

(d)

"Photo Identification" means an unexpired official document, excluding a voter identification card, issued by a local, state, or federal agency, or a foreign government entity, which contains a claimant's photograph, first and last name, and date of birth.

(e)

"Date of Birth Verification" means a certified birth certificate issued by a local, state, or federal agency, or a foreign government entity, or other official certification of the claimant's birth.

(f)

"Address Verification" means verification of an original utility bill (e.g., electricity, gas, garbage, water, or sewer), television service bill (e.g., cable, satellite), internet service bill, telephone or cellular bill, insurance document or other correspondence from a bank or similar institution, a current residential rental or lease agreement; or a mortgage statement; provided the document shows the claimant's name and residence address. If the claimant does not have a residence address but has a Post Office Box or a Personal Mail Box, address verification must consist of the individual providing proof that he or she is the renter or the authorized user of the box.

(g)

"Proof of Wages Earned" means a copy of that claimant's Wage and Tax Statement(s) (Form W-2), issued for the base period of the claim, or Income Tax Declaration(s) for the base period of the claim, or check stubs issued by the claimant's employer(s) during the base period of the claim, or a pay statement issued by the claimant's employer(s) for the base period of the claim. The check stubs or pay statement must contain the claimant's: (1) first name or initial and last name. (2) social security number. (3) name of employer. (4) the date the check stub or pay statement was issued, or the pay period for which the check stub or pay statement was issued.

(1)

first name or initial and last name.

(2)

social security number.

(3)

name of employer.

(4)

the date the check stub or pay statement was issued, or the pay period for which the check stub or pay statement was issued.

(h)

A claimant will be required to provide information to the department as described in sections 2706-1, 2706-2, 2706-3, or 2706-6 of this Division. The information provided by the claimant must be sufficient for the department to: (1) establish the identity of the claimant. (2) verify that the wages reported under the social security number provided belong to the claimant. (3) verify that any other wages claimed as earned during the base period belong to the claimant.

(1)

establish the identity of the claimant.

(2)

verify that the wages reported under the social security number provided belong to the claimant.

(3)

verify that any other wages claimed as earned during the base period belong to the claimant.

(i)

If the information provided to the department by the claimant under sections 2706-1, 2706-2, 2706-3, or 2706-6 of this division does not sufficiently establish the identity of the claimant, or if the department cannot verify that the

wages reported under the social security number, and any other wages claimed as earned during the base period belong to the claimant, the department shall: (1) Require the claimant to verify his or her identity claimed, by presenting a photo identification and at least one of the following document(s) as defined in subdivisions (c), (e), (f) and (g) of this section: (A) Social security number verification. (B) Date of birth verification. (C) Address verification. (D) Proof of wages earned. (2) Request the last employer of the claimant, and if deemed necessary by the department, all of the claimant's base period employers, to provide the following information: (A) Any other names used by the individual who earned the wages. (B) Any other social security numbers used by the individual who earned the wages. (C) Dates of employment for the individual who earned the wages. (D) Last known telephone number for the individual who earned the wages. (E) Last known mailing and residence addresses of the individual who earned the wages. (F) Date of birth provided by the claimant at date of hire. (G) Verification of claimant's photo identification, if deemed necessary by the department.

(1)

Require the claimant to verify his or her identity claimed, by presenting a photo identification and at least one of the following document(s) as defined in subdivisions (c), (e), (f) and (g) of this section: (A) Social security number verification. (B) Date of birth verification. (C) Address verification. (D) Proof of wages earned.

(A)

Social security number verification.

(B)

Date of birth verification.

(C)

Address verification.

(D)

Proof of wages earned.

(2)

Request the last employer of the claimant, and if deemed necessary by the department, all of the claimant's base period employers, to provide the following information: (A) Any other names used by the individual who earned the wages. (B) Any other social security numbers used by the individual who earned the wages. (C) Dates of employment for the individual who earned the wages. (D) Last known telephone number for the individual who earned the wages. (E) Last known mailing and residence addresses of the individual who earned the wages. (F) Date of birth provided by the claimant at date of hire. (G) Verification of claimant's photo identification, if deemed necessary by the department.

(A)

Any other names used by the individual who earned the wages.

(B)

Any other social security numbers used by the individual who earned the wages.

(C)

Dates of employment for the individual who earned the wages.

(D)

Last known telephone number for the individual who earned the wages.

(E)

Last known mailing and residence addresses of the individual who earned the wages.

(F)

Date of birth provided by the claimant at date of hire.

(G)

Verification of claimant's photo identification, if deemed necessary by the department.

(j)

If the information available to the department indicates that the identity of the claimant may not be the same as the individual who earned the wages reported to the department, the department may request the individual who claims to be the true owner of the identity to certify under penalty of perjury whether or not he or she filed the claim for unemployment compensation disability benefits, and to provide the documentation requested by the department in order to prove the identity, and the wages earned during the base period.

(k)

The claimant shall be allowed a reasonable amount of time, as determined by the department, to provide the information requested pursuant to sections 2706-1(e) and 2706-2(d) of these regulations. The claimant shall have the right to request additional time to provide the requested information to the department.

(l)

If, within ten (10) days from the mailing date of the request to provide the additional documentation, the claimant has not supplied the requested information, and has not contacted the department to request additional time to provide the requested information, the department shall grant or deny the benefits based on the information available to the department, pursuant to section 2706.1 of the code.

(m)

The burden of proof shall rest with the claimant to verify his/her identity and wages claimed. In the event the claimant is unable to meet the requirements of this section to the department's satisfaction; the department shall take the necessary steps to protect the record of the true owner of the social security

number. When a claim has not been filed by, and/or wages have not been earned by the true owner of the social security number, the department may remove claim and wage information from the true owner's records, and transfer the information to the claimant's records who is currently applying for benefits.