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## **NEW MINNESOTA LAW REQUIRES BUSINESSES AND EMPLOYERS TO PROTECT SOCIAL SECURITY NUMBERS**

Minnesota has a new law, the Social Security Number Shield Law (“Shield Law”) that requires Minnesota businesses and employers to take steps to protect against disclosure of an individual’s social security number. Fifteen other states have already enacted similar legislation with the objective to protect employee social security numbers. Employers are required to restrict access to social security numbers to ensure that the employees who require the numbers to perform their job duties are the only employees who have access to the information.

Governor Pawlenty signed the SSN Shield Law on May 24, 2007 to become effective July 1, 2007. However, due to some adjustments, the legislature extended the effective date of the SSN Shield Law to July 1, 2008.

Additional limitations prohibit private employers from:

- intentionally communicating or making available to the general public a person’s social security number;
- printing a person’s social security number on any card required to access services or products provided by the employer;
- requiring a person to transmit his/her social security number over the Internet unless the connection is secure or the number is encrypted, except as provided by federal law;
- requiring a person to use his/her social security number to access an Internet website, unless a password or unique personal identification number (PIN) or other authentication device is also required;
- printing a person’s social security number on any materials that are mailed to them, unless state or federal law requires the social security number to be on the mailed document;
- assigning or using a number as the primary account identifier that is identical to or incorporates a person’s complete social security number; or
- selling the social security numbers obtained from persons in the course of business.

Despite these prohibitions, SS numbers can still be:

- included in applications and forms sent by mail, including documents sent as part of an employment application or benefit enrollment process.
- used to establish, amend or terminate an account, contract or policy.
- used to confirm the accuracy of the social security number, as long as the information is not printed on the outside of the mailing.
- employers may continue to use portions (but not all) of an individual’s social security number as employee identification numbers.

The full text of the law can be read at: <http://www.leg.state.mn.us/leg/statutes.asp>