

SENATE No. 34

The Commonwealth of Massachusetts

PRESENTED BY:

Jennifer L. Flanagan

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to identity theft protections for foster children.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Jennifer L. Flanagan</i>	<i>Worcester and Middlesex</i>
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>

SENATE No. 34

By Ms. Flanagan, a petition (accompanied by bill, Senate, No. 34) of Jennifer L. Flanagan, Jennifer E. Benson, Sal N. DiDomenico and Marjorie C. Decker for legislation relative to identity theft protections for foster children. Children, Families and Persons with Disabilities.

The Commonwealth of Massachusetts

An Act relative to identity theft protections for foster children.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 203 of Chapter 119 is hereby amended by inserting at the end of the section the
2 following subsection:-

3 (j) The Department shall develop and implement policies and procedures designed to
4 protect personal identifying information of children in foster care in order to prevent identity
5 theft by foster care providers and others who may have access to personal identifying
6 information of such children including policies and procedures for (i) assigning unique
7 identifying numbers other than social security numbers to children entering foster care; (ii)
8 limiting, to the greatest extent possible, disclosure of foster children's social security numbers
9 and other unique identifying information to foster parents or other persons who may have access
10 to personal identifying information about a child in foster care; and (iii) responding to valid
11 requests for information regarding a foster child's social security number or other personal
12 identifying information from individuals and entities having a legitimate need for such
13 information.

14 (k) Each child shall have obtained for them by the department, a free credit report,
15 pursuant to the fair credit reporting act, from each of the 3 major credit bureaus at the time of
16 entry or re-entry into care and annually thereafter, for the time that said child remains in custody
17 of the Commonwealth, to determine whether identity theft has occurred and to correct all
18 erroneous entries on said child's credit record. If the credit report displays other negative or
19 erroneous items, the Commonwealth shall provide the necessary services to correct said child's
20 credit record, including, but not limited to, legal and other advocacy fees.

21 The department shall: (i) provide the child's attorney with a copy of each credit report
22 within 30 days of obtaining the credit report results; (ii) work with the child's attorney to notify
23 the district attorney, for the district in which the child resides, no later than 30 days after receipt

24 of the credit report in order to correct any erroneous items; and (iii) make each annual credit
25 report request not later than 60 days after the child's birthday, or 60 days after the child's entry
26 or re-entry into custody.”.