

CHAPTER 28  
SOCIAL SECURITY NUMBERS AND PROOF OF LEGAL PRESENCE

**193F—28.1(543D) Purpose.** This chapter outlines a uniform process for applicants and licensees to establish proof of legal presence pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1621). This chapter also addresses the requirement that a license applicant provide a social security number under 42 U.S.C. 666(a)(13) and Iowa Code sections 252J.8(1) and 272D.8(1) for purposes including the collection of child support obligations and debts owed to the state of Iowa.

[ARC 4708C, IAB 10/9/19, effective 11/13/19]

**193F—28.2(543D) Applicability.**

**28.2(1)** Applicants and licensees who are U.S. citizens or permanent resident aliens may be requested to produce evidence of their lawful presence in the United States as a condition of initial licensure or license renewal. If requested, submission of evidence will be required once.

**28.2(2)** Applicants and licensees residing in the United States other than those described in subrule 28.2(1) above may be requested to provide evidence of lawful presence in the United States at the time of initial licensure and with every subsequent renewal.

**28.2(3)** Evidence shall not be required by foreign national applicants or licensees who are not physically present in the United States.

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**193F—28.3(543D) Acceptable evidence.** The board shall accept as proof of lawful presence in the United States documents generally considered acceptable documentation for purposes of establishing a U.S. place of birth, indicating U.S. citizenship, or establishing alien status. The board will not routinely retain the evidence sent and will not return the evidence once submitted. Documents may be retained in computer “imaged” format. Legible copies will be accepted. Original documents will not be required unless a question arises concerning the documentation submitted.

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**193F—28.4(252J,261,272D,543D) Social security number disclosure.**

**28.4(1)** An individual applying for a license from the board shall disclose the individual’s social security number on the application form unless:

*a.* The applicant demonstrates to the satisfaction of the board that the applicant does not possess and is not eligible for a social security number, or

*b.* The applicant demonstrates or attests that the applicant is in the process of applying for a social security number and will provide such number within 60 days of the date on which the applicant submits the application to the board. The license of an applicant who is licensed pursuant to this subrule may be revoked for failure to provide a valid social security number within 60 days of the date on which the application was filed.

**28.4(2)** An applicant who does not possess a social security number and is not eligible for a social security number will be required to demonstrate lawful presence in the United States, if applicable, and provide government-issued photo identification as needed to verify identity. If circumstances change and the applicant or licensee later attains a social security number, the applicant or licensee shall disclose the social security number to the board within 30 days of the date on which the social security number is issued.

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These rules are intended to implement Iowa Code chapter 543D.

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