



Office of Children and Family Services

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Administrative Directive

Transmittal:	15-OCFS-ADM-13
To:	Commissioners of Social Services Executive Directors of Voluntary Authorized Agencies
Issuing Division/Office:	Strategic Planning and Policy Development
Date:	August 21, 2015
Subject:	Required Annual Credit Checks for Youth and Young Adults in Foster Care 14 Years of Age and Older
Suggested Distribution:	Directors of Social Services Child Welfare Supervisors Staff Development Coordinators CONNECTIONS Implementation Coordinators
Contact Person(s):	Any questions concerning this release should be directed to the appropriate Regional Office, Division of Child Welfare and Community Services: Buffalo Regional Office-Dana Whitcomb (716) 847-3145 Dana.Whitcomb@ocfs.ny.gov Rochester Regional Office-Karen Buck (585) 238-8201 Karen.Buck@ocfs.ny.gov Syracuse Regional Office-Sara Simon (315) 423-1200 Sara.Simon@ocfs.ny.gov Albany Regional Office-Kerri Barber (518) 486-7078 Kerri.Barber@ocfs.ny.gov Spring Valley Regional Office-Yolanda Désarmé (845) 708-2498 Yolanda.Desarme@ocfs.ny.gov New York City Regional Office-Raymond Toomer (212) 383-1788 Raymond.Toomer@ocfs.ny.gov Native American Services-Heather LaForme (716) 847-3123 Heather.LaForme@ocfs.ny.gov
Attachments:	Appendix A: National Credit Reporting Agencies Information Appendix B: Required Annual Credit Checks for Children in Foster Care Desk Aid

Filing References

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
12-OCFS-ADM-07	12-OCFS-ADM-07	18 NYCRR 428.3 (b) (2) (vi) and 430.12 (k)	Sec. 113 of the Preventing Sex Trafficking and Strengthening Families Act [P.L. 113-183]; § 475 (5) (I) of the Social Security Act [Title 42 U.S.C. § 675 (5) (I)]; § 603 (d) of the Fair Credit Reporting Act [Title 15 U.S.C. §1681, et. seq.]		

I. Purpose

The purpose of this Administrative Directive (ADM) is to advise local departments of social services (LDSSs) and voluntary authorized agencies (VAs) of a change in the federal law that requires states to request consumer reports for youth in foster care who have attained 14 years of age. Prior to the law changing, the age was 16 years. Section 113 of the Preventing Sex Trafficking and Strengthening Families Act (the Act) [P.L.113-183] changed federal law to require that each child in foster care under the responsibility of the State who has attained **14 years of age** receive without cost a copy of any **consumer report** (as defined in section 1681a(d) of Title 15) pertaining to the child each year until the child is discharged from care, and receives assistance (including, when feasible, from any court-appointed advocate for the child) in interpreting and resolving any inaccuracies in the report, see (42 U.S.C. § 675 (5) (I)).

II. Background

On September 29, 2014, President Obama signed into law the Act [P.L. 113-183], which amended various provisions of Title IV-E of the Social Security Act (SSA). One of the primary purposes of the Act is to improve the safety, permanency, and well-being outcomes of children and youth involved with the child welfare system. As part of this effort, the Act supports youth in transitioning into successful adulthood by requiring states to provide youth and young adults in foster care age 14 and older with a copy of any consumer report, as this term is defined in 15 U.S.C. § 1681a(d), pertaining to the youth/young adults annually until the youth/young adult is discharged from care. Prior to the Act taking effect, annual requests for consumer reports were required for youth who attained age 16 years while in foster care. Therefore, the Office of Children and Family Services (OCFS) is replacing 12-OCFS-ADM-07 with this ADM to account for the change in age from 16 to 14 years.

Child identity theft occurs when someone uses a minor's personal information to commit fraud. A thief may steal and use a child's information to get medical care, government benefits, a job, utilities, a loan, or a mortgage. When a child or youth in foster care is a victim of identity theft, there may be a credit report associated with the youth. This report may contain errors in the identifying information, such as the date of birth and address,

because the thief may have used the child's Social Security number, but his own date of birth and address.

The Fair Credit Reporting Act (FCRA), 15 U.S.C. § 1681 et. seq., requires each of the three nationwide credit reporting agencies (CRAs), to provide free consumer reports upon request once every 12 months. Each of these companies collects information from different sources. The information in a consumer report from one company may not reflect all, or the same, information from the other two companies.

A consumer report contains identifying information, lists of accounts, credit inquiries, items of public record and positive and negative credit entries. Identifying information includes name, addresses (current and past), Social Security number, date of birth, and employment information. The types of accounts that may be found on the credit report include: credit card accounts, mortgages, loans, and installment accounts such as car loans. The report will include the date the accounts were opened, credit limits, loan amounts, account balances, and payment history. A list of credit inquiries over the last two years, as well as any information on bankruptcies, foreclosures, lawsuits, wage garnishments, liens, judgments, or overdue debts will be listed in the report.

Children in foster care are especially vulnerable to identity theft. When children have had multiple placements, more people have the opportunity to gain access to their personal information. Since children in foster care also have fewer opportunities to use and/or check their financial information, they may not know if they have been a victim of identity theft until after they have aged out of care. This is especially important since credit report ratings may be used to determine the youth's future eligibility for credit, student or car loans, insurance, housing, and employment.

Understanding the negative impact identity theft can have on a youth/young adult, federal law mandates that efforts be taken to combat identity theft to protect youth and young adults in foster care who are age 14 years or older. Therefore, the state must provide, without cost, a copy of any consumer report pertaining to youth/young adults who attain 14 years of age while in foster care at least once per year until the youth/young adult is discharged from care. Federal law also requires that the youth/young adult receive assistance, including when feasible from any court-appointed advocate for the child, with interpreting and resolving any inaccuracies in any reports. If a consumer report does come back for a foster care youth who is under 18 years of age, the entire report will most likely be inaccurate, and, therefore, the youth will need assistance in having the report resolved and removed from his or her credit history. This is especially important as youth/young adults may lack the know-how and resources to resolve such issues.

III. Program Implications

Federal law requires that each youth/young adult in foster care who is age 14 years or older must receive annually, until the youth/young adult is discharged from care, a copy of any consumer report(s) that may be on file with any of the three (Equifax, Experian, and Trans Union) nationwide CRAs and must receive assistance (from a court-appointed advocate for the child when feasible) in interpreting and resolving any inaccuracies in the report(s). The LDSS is responsible for identifying whether the LDSS or VA, if a youth/young adult is placed with a VA, is responsible for completing the annual requests for consumer reports with the youth/young adult. Receipt of copies of all consumer report on file with the three nationwide CRAs satisfies the federal requirement that the

youth/young adult in foster care at age 14 years or older receives annually a copy of any consumer report(s). Therefore, if there are three consumer reports on file, one with each of the CRAs, for a foster care youth, the youth must receive a copy of each of the reports. He or she must also receive assistance in interpreting and resolving inaccuracies in the reports (when feasible, from a court-appointed advocate).

IV. Required Action

A. Placement Address

The worker must accurately document up-to-date placement and historical addresses in CONNECTIONS. All addresses (current and historic) for the youth and young adult should be included when performing the annual requests for consumer reports. For youth and young adults placed through a voluntary agency, the placement address of the youth or young adult should be used, not the voluntary agency address.

B. Credit Reports

Federal law requires that requests for any consumer reports be made with all three CRAs (Equifax, Experian, and Transunion) annually for each youth/young adult in foster care who is age 14 years or older. Youth under the age of 18 years may not obtain a consumer report without assistance because minors do not have the legal capacity to sign a contract or apply for credit.

C. Annual Credit Check Responsibility

The LDSS is responsible for determining whether the LDSS or VA, if a youth/young adult is placed with a VA, will complete the annual request for any consumer report with the youth/young adult. The worker¹ must contact all three CRAs to request annually, until the youth/young adult is discharged from care, consumer reports for each youth/young adult in foster care who is age 14 years or older. The worker must also assist the youth/young adult with interpreting the reports and resolving the reports and inaccuracies with the CRAs, including when feasible assistance from any court-appointed advocate for the youth. The worker must document any and all efforts to assist the youth/young adult in the case record progress notes in CONNECTIONS.

Consumer reports from each of the CRAs may be requested for the youth/young adult:

- one at a time, or
- spaced out throughout the calendar year, or
- it may be more productive to request information from one CRA before reaching out to the other two, to allow for any errors or theft found in one consumer report to be corrected and cleared from the other two CRAs prior to requesting additional consumer reports. Nonetheless, the consumer

¹ For the purpose of this ADM, “worker” is defined as staff designated by the LDSS/VA with case management, case planning or casework responsibility.

reports will also need to be requested from other two CRAs at some point during the year.

OCFS is aware that certain youth/young adults in foster care may not have a Social Security number (SSN), such as youth/young adults who are qualified or non-qualified immigrants. For those youth/young adults who do not have a SSN, the consumer report request would be completed based on the name and address of the youth/young adult.

D. Requesting Consumer Reports for Youth in Foster Care Under 18 Years of Age

There are two methods for requesting a consumer report for a youth under the age of 18 years.

1. Online Requests

The most common method to request a consumer report for an adult is to use the www.annualcreditreport.com website. This website **cannot** be used to request a consumer report for a youth under the age of 18 years; however, agencies should consider establishing an agreement with each CRA for online accounts (see Appendix A: National Credit Reporting Agencies Information). With these accounts, LDSS and VAs are able to electronically request a consumer report for youth in foster care under the age of 18 years.

2. Requests by Mail

Download and complete the request form:

<http://www.consumer.ftc.gov/articles/pdf-0093-annual-report-request-form.pdf>

Mail the completed form to:

Annual Credit Report Request Service
P.O. Box 105281
Atlanta, Georgia 30348-5281

A consumer report, if any, will be mailed and can be expected within two to three weeks. Otherwise, a letter indicating no such report exists will be mailed.

Securely maintaining and transferring the youth's information is extremely important. LDSSs and VAs must develop a protocol for workers who are charged with requesting consumer reports for youth in foster care. The protocol must minimally include procedures that: protect the youth's identity and personal information from misuse; securely transfer the youth's information to CRAs; and securely collect, maintain and document the results of the annual credit checks and any attempts to resolve inaccuracies in any consumer reports.

In order to request a consumer report for a youth younger than 18 years of age, all three CRAs require verification that the requestor has the right to request the information and proof that the youth is in foster care.

1. Establishing and verifying the identity of the requestor

In order to show that the person requesting a consumer report has the legal authority to do so, the LDSS or VA, if the youth is in the custody of the VA, must determine which document a worker should submit to the CRAs to prove the worker has the right to request a consumer report on behalf of a youth who is younger than 18 years of age. One example of a document that can be used is a copy of a county or VA ID badge.

2. Establishing and verifying that the youth is in foster care

To prove that the youth is in foster care, a court order or other document that proves that the youth is in foster care must be sent to the CRAs. If there is concern about confidential information contained in the court order, most CRAs allow the court order to be redacted as long as the youth's identifying information remains available.

It is expected that most consumer report inquiries on children younger than 18 years of age will confirm that no such reports exist. If a consumer report does exist for a youth under the age of 18 years, it may be due to an error, fraud, or identity theft; in such instances, the information must be corrected and action taken to protect the youth's identity and future credit worthiness.

If any consumer reports are obtained, the worker must meet with the youth to assist the youth in interpreting and understanding the reports. If the consumer report shows any inaccuracies, the worker must work with the youth and the CRAs to correct any inaccuracies. When feasible, a court-appointed advocate for the youth should also work with the youth and the CRAs to correct any inaccuracies.

Workers should meet with the youth to discuss the purpose of making the request for a consumer report even if there is no consumer report on file for the youth. This is an opportunity to teach the youth the importance of protecting and safeguarding his or her personal and confidential information. This should include a discussion about the importance of protecting his or her Social Security number by not carrying his or her Social Security card and/or by not showing it to others, and the dangers of sharing personal information on the internet, especially on social networking sites. Workers should also discuss with the youth the importance of maintaining an accurate credit history and the value in annually checking his or her credit to protect against identity theft or mistakes.

E. Requesting Consumer Reports for Young Adults Ages 18 or Older

Young adults 18 years of age and older are more likely to have a consumer report than youth under 18 years of age. Young adults may request their own free consumer reports; however, workers should work with the young adult to make the request using one of the methods described below. This may include making the request(s) together at a computer, or having the youth obtain the report(s) him- or herself and then share them with the worker. Once the consumer report(s) is obtained, the worker must assist the young adult in interpreting and understanding it. If any consumer report shows inaccuracies, the worker is responsible for working with the young adult and CRAs to correct any inaccuracies, including when feasible

the court-appointed advocate for the young adult. This is an opportunity to teach the young adult the importance of protecting and safeguarding personal and confidential information. This should include a discussion about the importance of protecting his or her Social Security number by not carrying his or her Social Security card and/or showing it to others, and the dangers of sharing personal information on the internet, especially on social networking sites. Workers should also discuss with the youth the importance of maintaining an accurate credit history and the value in annually checking his or her credit to protect against identity theft or mistakes.

There are three methods for requesting a consumer report for a young adult 18 years of age and over. The easiest method may be to do an online credit check; however, consumer reports may also be requested by phone or by mail. These three methods allow for one or more of the CRAs to be checked simultaneously.

1. Online Requests

AnnualCreditReport.com is the official website to obtain free credit reports. This is the quickest and easiest way to receive a report. The website address is: www.annualcreditreport.com/

2. Requests by Phone

To request a consumer report by phone, call the Annual Credit Report Service at 1-877-322-8228. A simple verification process will be completed over the phone. The consumer report will be mailed and can be expected within two to three weeks.

3. Requests by Mail

Download and complete the request form:

<http://www.consumer.ftc.gov/articles/pdf-0093-annual-report-request-form.pdf>

Mail the completed form to:

Annual Credit Report Request Service
P.O. Box 105281
Atlanta, Georgia 30348-5281

The consumer report will be mailed and can be expected within two to three weeks.

As previously mentioned, young adults ages 18 years and older may independently request their free consumer reports. Each LDSS or VA must have a documented procedure on how to work with young adults who prefer to obtain their own consumer reports, and how the LDSS or VA will assist in interpreting and resolving any inaccuracies with the young adult and the CRAs.

If a young adult age 18 or older objects to having his or her consumer report requested, the worker must document efforts in CONNECTIONS to comply with the law. The LDSS or VA will not be considered out of compliance if it fails to obtain a consumer report due to a young adult's documented objection in the case record progress notes.

F. Resolving Consumer Report Inaccuracies

When identity theft or mistakes are suspected, the worker is responsible for assisting the youth/young adult in resolving any and all inaccuracies. Once it is reasonably believed that a youth/young adult in foster care is a victim of identity theft, the steps described below must be taken by the responsible worker to resolve any discrepancies and prevent further harm. Written documentation with the details of all efforts made must be maintained in the youth's/young adult's case record progress notes. Copies of all correspondence must be maintained in the youth's/young adult's external case record.

1. Contact the CRAs

Workers must contact the three CRAs. CRAs may require documentation to verify that the youth is in foster care and that the LDSS/VA is authorized to act on the youth's behalf. (See Section IV.D. above for a description of the relevant documentation.)

For youth under 18 years of age, it is important to send each CRA a letter explaining that the youth is a minor who cannot legally enter into a contract. To prove that the youth is younger than 18 years of age, send each CRA a copy of the youth's birth certificate and/or other documentation of age, such as a court order. The letter should also request that the CRAs remove all accounts, application inquiries, and collection notices from the consumer report associated with the youth's name or personal information.

For young adults 18 years of age and older, the worker must send each CRA a letter requesting that they remove all false or inaccurate accounts, application inquiries, and collection notices from the consumer report associated with the young adult's name or personal information.

2. Place an Initial Fraud Alert

If a consumer report exists for the youth/young adult as a result of identity theft, an initial fraud alert should be placed on the report. This alert will require potential creditors to verify a person's identity before extending credit. The initial fraud alert is free and lasts 90 days.

To place an initial fraud alert, the worker must contact any one of the three CRAs. That CRA must contact the other two. All three will place the initial fraud alert on the report they have for the child. After placing the initial fraud alert, the CRA will explain the youth's/young adult's rights, including the right to get an additional free credit report from each CRA.

3. Consider an Extended Fraud Alert

If a consumer report was created for the youth/young adult as a result of identity theft, the worker should consider placing an extended fraud alert on behalf of the youth/young adult, with his or her knowledge. An extended fraud alert, just like the initial fraud alert, requires potential creditors to verify a person's identity before extending credit. The extended fraud alert is free

and lasts seven years. To place an extended fraud alert, CRAs require an Identity Theft Report (see below #6). An extended fraud alert entitles the identity theft victim to two free credit reports within 12 months from each of the CRAs.

4. Consider a Security Freeze

If there is a consumer report for the youth/young adult as a result of identity theft, the worker should also consider placing a security freeze. Once a security freeze is placed, potential creditors cannot obtain the youth's/young adult's consumer report, which makes it less likely an identity thief can open new accounts. Placing a security freeze on the youth's/young adult's consumer report can be a useful deterrent to additional fraud.

A certified letter requesting the freeze may be sent to each of the CRAs to place the freeze. The CRAs may ask for proof of the youth's/young adult's Social Security number, proof that the worker is legally able to represent the youth/young adult, and a copy of the youth's/young adult's birth certificate. A police report or Identity Theft Affidavit (see #6 and #7 below) is required to place a security freeze. The first security freeze is free; subsequent requests may require the payment of a fee. Security freezes remain active until a request is placed to lift the freeze. It is important that the worker lift the freeze before the youth/young adult applies for loans (e.g., student or auto), credit cards, an apartment, or job. Workers must lift the freeze before a youth/young adult leaves care unless the youth/young adult requests that the freeze remain intact. It is important that the youth/young adult understand the ramifications of not lifting the freeze and is aware of how to remove it in the future. Once the youth turns age 18, he or she can ask the CRAs to lift the freeze.

Additional information about placing a security freeze in New York State, including sample letters to CRAs, can be found at:

<http://www.consumersunion.org/pdf/security/securityNY.pdf>

5. Call Every Company Where an Account Was Fraudulently Opened or Misused

The worker must review the youth's/young adult's credit report for any accounts opened in the youth's/young adult's name. If a fraudulent account is found to be in the name of a youth who is younger than 18 years of age, contact the business or company where the account was opened and explain to the business or company that the youth is a minor. For all youth, ask the company to close the fraudulent account and flag the account to show it is a result of identity theft. Follow up with each business in writing. Ask for a letter stating that the company has closed the disputed account(s) and has discharged the fraudulent debt. This letter will enable the youth to dispute erroneous charges if errors relating to the account reappear on his or her credit report in the future. When contacting creditors, letters should usually be sent to the business or company's fraud or billing department.

6. File an Identity Theft Affidavit with the Federal Trade Commission (FTC)

Visit www.ftc.gov or call 1-877-IDTHEFT (1-877-438-4338) to file a report about the theft of the youth's/young adult's identity. After the report is filed with the FTC, print and sign a copy. This is called an Identity Theft Affidavit. Give a copy of the FTC Identity Theft Affidavit to the police when filing the police report. An identity theft report will also help in resolving non-financial identity theft issues (e.g., medical, tax and employment) and will enable a youth/young adult to obtain additional free credit reports. Place a copy of the FTC Identity Theft Affidavit and police report, if applicable, in the youth's/young adult's external case record.

7. File a Police Report

It is important to file a police report, as it may be needed to resolve other instances of identity theft. Young adults ages 18 years and older must file a police report if identity theft is suspected before they can use certain legal remedies to clear a credit report. The situation may be different for youth younger than 18 years of age since credit reporting companies may correct a minor victim's credit report without a police report.

8. Consider Creating an Identity Theft Report

For youth younger than 18 years of age, providing information that the youth is a minor should be sufficient to correct fraudulent debts on the youth's credit report, but a worker should also consider taking advantage of rights available to identity theft victims under the Fair Credit Reporting Act (FCRA).

For young adults ages 18 years and older creating an identity theft report should be considered. The FCRA enables identity theft victims to block erroneous charges from appearing on their credit reports and to get documents like applications and contracts to prove the underlying crime.

Creating an identity theft report involves three steps:

1. Submit a complaint about the theft to the FTC. After including all of the details, print a copy of the report. It will print as an Identity Theft Affidavit (same as #6 above).
2. File a police report about the identity theft, and get a copy of the police report or the report number. Bring the FTC Identity Theft Affidavit to the police when the police report is filed (same as #7 above).
3. Attach the FTC Identity Theft Affidavit to the police report to make an Identity Theft Report.

For more information, see *Statement of Rights for Identity Theft Victims* at <http://www.ftc.gov/bcp/edu/pubs/consumer/idtheft/idtheft09.pdf>.

Additional information about disputing a credit report can be found at the Federal Trade Commission's Facts for Consumers "How to Dispute a Credit Report" at: www.ftc.gov/bcp/edu/pubs/consumer/credit/cre21.pdf

G. Required Documentation

The worker responsible for the youth/young adult in foster care must document that the youth/young adult was provided with any annual consumer reports that may exist, and must also document any assistance that was provided by the LDSS/VA to the youth/young adult in interpreting the report and/or resolving any inaccuracies in the report.

Documentation of all requests for consumer reports must be made in the youth's case record progress notes in CONNECTIONS from the time the youth turns 14 years of age until the youth/young adult is discharged from foster care. All correspondence or paper documents must be retained in the youth's/young adult's external case record.

For a young adult in foster care who is 18 years of age or older, documentation must also include whether the young adult requested his or her annual consumer report directly from the CRAs, whether or not the young adult informed the worker that he or she intended to request the annual consumer report directly from the CRAs, and any efforts provided by the worker to obtain the report. If the young adult chose not to request his or her consumer report directly from the CRA, the worker must document in the young adult's case record progress notes whether the young adult consented or objected to the LDSS/VA making such request on his or her behalf, and the efforts made by the worker to encourage the young adult to obtain his or her annual consumer report. Consumer reports must also be requested for young adults in foster care 18 years of age or older who because of physical or mental disability lack the capacity to object or consent. Any issues of inaccuracies or fraud in such report(s) must be resolved by the worker, and when feasible with assistance from any court-appointed advocate for the child.

H. Additional Information

Information for obtaining a free consumer report can be found at The Federal Trade Commission (FTC) Free Annual Credit Reports website at: www.ftc.gov/bcp/edu/microsites/freereports/index.shtml

The FTC has a "Facts for Consumers" website for additional information on consumer rights under the FCRA. This can be accessed at: <http://www.ftc.gov/bcp/edu/pubs/consumer/credit/cre34.shtm>

The FTC's Identity Theft website is a national resource to learn about the crime of identity theft. It provides detailed information to help deter, detect, and defend against identity theft. <http://www.ftc.gov/bcp/edu/microsites/idtheft/>

The Children's Bureau, an Office of the U.S. Department of Health and Human Services, Administration for Children and Families, has an array of resources available in the Financial Empowerment Toolkit to assist caseworkers, foster parents

and other supportive adults with strategies to promote and build financial capacity among youth in foster care.

<http://www.acf.hhs.gov/programs/cb/resource/financial-empowerment-toolkit>

The New York City Office of Consumer Affairs has additional information specific to New York City and New York State at:

<http://www.nyc.gov/html/ofe/html/protect/alert.shtml>

V. Systems Implications

There are no new system requirements.

VI. Effective Date

This release is effective as of September 1, 2015.

Thomas R. Brooks

Issued By:

Name: Thomas R. Brooks

Title: Deputy Commissioner

Division/Office: Strategic Planning and Policy Development

Appendix A

National Credit Reporting Agencies Information			
Agency	Equifax	Experian	Transunion
Contacts	Child and Family Services contact information: CFS@equifax.com or (800) 874-5606	Paul Hernandez Compliance Department Allen, TX paul.a.hernandez@experian.com (972) 390-3710 Kerry King Compliance Department Allen, TX kerry.king@experian.com (972) 390-3594	Special email contact for Child Welfare Agencies: fostercare@transunion.com Contact: Eric Rosenberg Phone: 312-466-6323 Email: erosenb@transunion.com
Secure online access available	All fees waived	All fees waived	All fees waived
Specific directions for submitting requests for credit checks for youth younger than 18 years of age	There has to be a business account established with Equifax before an agency can proceed with requesting credit reports for youth in foster care. An Agency Agreement for Consumer Report Service will be required.	Each child welfare agency assigns one "head designate" with administrative rights to the system. The head designate may request and receive reports or may delegate access to other appropriate individuals within the agency.	Each child welfare agency assigns one "company administrator" (a backup administrator is recommended) who is responsible for administering and managing access to TransUnion Direct, TU's online portal. The Administrator may then designate other "Company Administrators" for each location from which TransUnion Direct will be accessed and employees who are authorized to utilize TransUnion Direct.
Directions for disputing for youth younger than 18 years of age	https://www.ai.equifax.com	http://www.experian.com/disputes	https://dispute.transunion.com
For assistance with fraud resolution	866 349-5191 or Equifax Information Services, LLC. P.O. Box 740256 Atlanta, GA 30348	You may call Experian at 888- 397-3742	800-372-8391 or PO Box 6790 Fullerton, CA 92831 Attn: Foster Youth Fraud Investigations
For additional information	www.equifax.com	www.experian.com	www.transunion.com



On September 29, 2014, the Preventing Sex Trafficking and Strengthening Families Act (P.L. 113-183) was signed into law. The law expands the requirement that **child welfare agencies must provide youth in foster care age 14 years and older with a copy of any credit report annually from all three Credit Reporting Agencies (CRAs) until discharged from care.** Youth in foster care must also be provided with assistance in interpreting the credit report and resolving any inaccuracies in the report. The provisions take effect September 1, 2015.

About Credit Reports

Annual credit checks with all three CRAs (**TransUnion, Equifax, and Experian**) are required for each youth in foster care who is at least 14 years old. Each CRA is required to provide a free credit report to consumers once every 12 months.

Worker Responsibilities

1 Request credit report

Annually contact all three CRAs to request credit checks for each youth in foster care who is 14 or older. Involve youth 18 or older in the request process, either by making the requests together at a computer, or by having the young adult obtain reports him or herself and then share them with the worker.

2 Review of Credit Report

Youth 17 or younger are not expected to have credit reports, and most credit report requests for them will confirm that no credit reports exist. In these cases, it is best practice to still meet with youth to discuss the importance of protecting personal information against identity theft for youth of all ages. If a credit report is obtained, assist youth with interpreting reports and resolving inaccuracies with the CRAs.

3 Required Documentation

In the youth's case record progress notes:

- Dates that credit reports were requested and received from each CRA, and any inaccuracies found.
- Any assistance provided to youth to interpret report or resolve inaccuracies, by whom, and the date provided.

In youth's external case record:

- All credit reports from age 14 until the youth is discharged from foster care.
- Copies of all correspondence or paper documents must be retained.

For young adults 18 or older:

- Worker's efforts to obtain the report.
- Efforts to comply with the law in cases where the young adult objects to having his or her credit report requested.
- Whether young adult requested his/her annual credit report directly from the CRAs, and whether the young adult informed the worker of this intent.

Requesting Credit Reports

Choose 1 of 3 ways!

By Mail:

Download and complete the request form:
<http://www.consumer.ftc.gov/articles/pdf-0093-annual-report-request-form.pdf>

Mail to: Annual Credit Report Request Service
P.O. Box 105281 Atlanta, GA 30348-5281

The worker must attach:

- a. Proof of caseworker's identity and legal authority to request a credit report on behalf of the child (i.e., a scanned ID badge).
- b. Proof that the youth/young adult is in foster care (i.e., a court order).

By Phone:

Call the Annual Credit Report Service at 1-877-322-8228. A simple verification process will be completed over the phone. The credit report will be mailed within two to three weeks.

Online:

For young adults 18 or older: The official website to obtain free credit reports is www.annualcreditreport.com/. This is the quickest and easiest way to receive a report.

For youth 17 or younger: Check with your agency about establishing online accounts with TransUnion, Equifax, and Experian. Online portals through these CRAs allow caseworkers or agency administrators to submit batch credit report requests for multiple youth.



Worker Responsibilities in the Case of Identity Theft

Once it is discovered that the youth is a victim of identity theft, the caseworker must resolve discrepancies and prevent further harm through the following steps:

1. Contact the three CRAs
 - A. **For youth under 18**, send each CRA:
 - A letter explaining that the child is a minor, and requesting that CRAs remove all activity from the credit report associated with the youth's personal information.
 - A copy of the child's birth certificate and/or other documentation of age, such as a court order.
 - B. **For young adults over 18**, send each CRA:
 - A letter requesting that CRAs remove all activity from the credit report associated with the youth's personal information.
2. Place an initial Fraud Alert with any one of the three CRAs (lasts for 90 days).
3. Call every company where an account was fraudulently opened or misused;
 - A. Ask company to close the account and flag it.
 - B. Follow up with each business in writing.
4. File an Identity Theft Affidavit with the Federal Trade Commission (FTC).
5. File a police report (especially important for youth 18 or older).
6. Maintain written documentation of all efforts in the youth's case record progress notes in CONNECTIONS, and include copies of all correspondence in the youth's external case record. Maintain confidentiality.

Additional Precautions and Considerations

In cases of identity theft, workers should consider taking additional precautions beyond the responsibilities outlined at left, in order to protect a youth's/young adult's identity and deter subsequent cases of fraud.

- Consider a **security freeze**:
A security freeze prohibits potential creditors from accessing the youth's/young adult's credit report, which may deter an identity thief from opening a new account. A security freeze remains active until a request is put in to lift the freeze.
- Consider an **extended fraud alert**:
An extended fraud alert requires potential creditors to verify a person's identity before extending credit. It lasts 7 years, and entitles an identity theft victim to two free credit reports within 12 months from each of the CRAs.
- Consider creating an **identity theft report** for young adults 18 or older:
An identity theft report enables victims to block erroneous charges from appearing on their credit reports, and also enables them to get documents like applications and contracts to prove the underlying crime.

For more Information

Policy 15-OCFS-ADM-13

The full text of the policy that this desk aid is based on is available through the OCFS website at: <http://ocfs.ny.gov/main/policies/external/>

Federal Credit Reporting Requirements

Reports and fact sheets on federal requirements are available from ChildFocus at: <http://childfocuspartners.com/tools-publications/reports/>

Identity Theft

Forms, resources, and information are available through the Federal Trade Commission at: <http://www.consumer.ftc.gov/features/feature-0014-identity-theft>