



# MALDEF

The Latino Legal Voice for Civil Rights in America.

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April 20, 2021

Patty Maysent  
[pmaysent@ucsd.edu](mailto:pmaysent@ucsd.edu)  
CEO, UC San Diego Health  
200 West Arbor Drive  
San Diego, CA 92103

Re: Social Security Number Requirement for COVID-19 Vaccine Appointment

Dear Ms. Maysent:

On behalf of MALDEF (Mexican American Legal Defense and Educational Fund), I write with significant concerns about information required to schedule the first dose of a COVID-19 vaccine at UC San Diego Health's RIMAC Arena location.<sup>1</sup> Specifically, once a user arrives at the online appointment webpage requesting "Patient Information," the user is asked for a "Social Security number," which the UC San Diego Health site "indicates [is] a required field." See Attachment (Snapshot of requested "Patient Information"). Requesting this information unlawfully implies that one must have a social security number to get a vaccine, and that undocumented and other individuals without social security numbers are not eligible for a vaccine.

The Unruh Civil Rights Act ("Unruh Act") entitles persons to "the full and equal accommodations, advantages, facilities, privileges, or services in all business establishments" (including hospitals and medical providers) regardless of race, national origin and *immigration status*. Cal. Civ. Code § 51 (emphasis added); *Estate of Silva v. City of San Diego*, Case No.: 3:18-cv-2282-L-MSB, 2020 WL 6946011 at \*22 (S.D. Cal. Nov. 25, 2020) (citing *O'Connor v. Vill. Green Owners Assn.*, 33 Cal. 3d 790, 793 (1983); *Pack v. Fort Washington II*, 689 F. Supp. 2d 1237, 1240 (E.D. Cal. 2009)). Thus, UC San Diego Health cannot discriminate against undocumented individuals in its administration of the COVID-19 vaccine.

We expect that UC San Diego Health does not intend to bar undocumented individuals or individuals without social security numbers from receiving a

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<sup>1</sup> Our concern regards vaccines that appear to be administered by UC San Diego Health, and provided at the "RIMAC Arena" (9730 Hopkins Drive, San Diego, CA 92093). The issues we raise in this letter do not concern external third-party vaccine providers or schedulers, such as California's MyTurn vaccine scheduler.

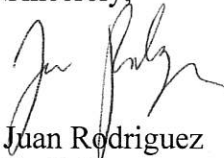
vaccine.<sup>2</sup> However, by requiring a social security number on the “Patient Information” form, that is precisely the effect this request may be having. Moreover, the form may additionally deter these individuals from seeking vaccination elsewhere. Social security number questions are immaterial to the appointment process, so the request, by itself, could prevent non-citizen or undocumented individuals from scheduling vaccine appointments. As we are sure UC San Diego Health is well aware of, Latino and undocumented communities have experienced disproportionately high rates of COVID-19 infection, hospitalization and death in the San Diego area and throughout California. UC San Diego may be contributing to further adverse public-health impacts by its carelessly worded demand of irrelevant information.<sup>3</sup> Lack of access to vaccines may put not only an unvaccinated individual at risk of serious health issues or death, but it puts that individual’s household members at risk as well.

A policy or practice that has the effect of deterring undocumented individuals or individuals without a social security number from scheduling or receiving a COVID-19 vaccination is a violation of the Unruh Act. Accordingly, we demand that UC San Diego Health immediately revise its vaccine scheduler “Patient Information” forms to: (1) remove any request for a social security number (or, at a minimum, expressly indicate that providing such information is “optional”), or (2) expressly indicate that that one may provide a “Social Security or ITIN number, or ‘000-00-0000’” directly above the field where users are to provide that information.

Anti-immigrant rhetoric is rampant, and non-citizens are being denied benefits and opportunities to which they are entitled at an alarming frequency in the middle of a pandemic that has devastated Latino and immigrant communities. UC San Diego Health has a responsibility to ensure that patients and individuals have equal access to COVID-19 vaccines and are not deterred from scheduling or attending appointments because UC San Diego’s vaccine scheduling forms contain incorrect or unlawful requests for a social security number.

As the vaccine rollout rapidly expands across California, we look forward to your prompt response to our request.

Sincerely,



Juan Rodriguez  
Staff Attorney  
MALDEF

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<sup>2</sup> We are aware of an instruction page on UC San Diego’s Vaccine scheduler that indicates that a user may provide an Individual Taxpayer Identification Number (ITIN) or use “000-00-0000” instead of a social security number once their personal information is requested. However, the scheduling form itself contradictorily “*require[s]*” a social security number and contains no indication that ITINs or “000-00-000” can be provided in lieu of a social security number. *See* Attachment.

<sup>3</sup> *See, e.g.,* <https://www.sandiegouniontribune.com/news/watchdog/story/2021-03-20/a-deadly-reality-by-almost-every-metric-covid-19-is-proving-much-worse-for-latinos-blacks-than-whites>.

## Patient Information

\* Indicates a required field.

\* First Name

Middle Name

\* Last Name

\* Date of Birth

\* Social Security number

\* Email

\* Legal Sex

Female Male

Unknown

Home Phone

\* Address

\* City

\* State

\* ZIP Code

\* Race

Asian

Other Race or Mixed Race

Unknown (Patient cannot or

Native Hawaiian or Other Pa

You can hold the CTRL key while clicking to select multiple options.

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