



Securing today
and tomorrow

What Prisoners Need To Know

SSA.gov



Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI) payments generally are not payable for months that you're imprisoned for committing a crime. This includes when you're confined to a jail, prison, or certain other public institutions. You're not automatically eligible for Social Security or SSI payments after your release.

Who can get Social Security benefits?

We pay retirement benefits to people who are age 62 or older. Generally, you must have worked and paid Social Security taxes for at least 10 years to be eligible.

We pay disability benefits to insured individuals who are unable to work because of a serious medical condition that is expected to last at least a year or result in death. A person who is a recent parolee, or who is unemployed, does not qualify for disability benefits.

Who can get SSI payments?

We make SSI payments to people who are age 65 or older, blind, or disabled, and whose income and resources fall below certain limits.

No benefits are payable for any month during which you are in jail, prison, or certain other public institutions.

What happens to my benefits when I am in prison?

If you receive Social Security, we'll suspend your benefits if you're convicted of a criminal offense and sentenced to jail or prison for more than 30 continuous days. We can reinstate your benefits starting with the month following the month of your release.

Although you can't receive monthly Social Security benefits while you're incarcerated, benefits to your spouse or children will continue as long as they remain eligible.

If you're receiving SSI, we'll suspend your payments while you're in prison. Your payments can start again in the month you're released. However, if your confinement lasts for 12 consecutive months or longer, we'll terminate your eligibility for SSI payments and you must file a new application after your release.

Can I get my benefits reinstated after I'm released from prison?

If we suspend your disability benefits or SSI payments because you were in prison, you can request that we reinstate them. You'll need to contact us and provide a copy of your release documents before we can act on your request.

Example: George received monthly **Social Security disability benefits** before he was convicted of a crime and sent to prison on May 15, 2020. His benefits were suspended effective May 2020. On October 10, 2020, George was released from prison. His benefits were reinstated effective November 2020. Since Social Security benefits are paid in the month following the month for which they are due, George will receive his November benefit in December 2020.

Example: Sam received **SSI payments** before he was confined to prison on June 7, 2020. He was released on September 7, 2020 and his SSI payments were reinstated as of September 7, 2020. Sam will be eligible for a partial payment for September and a full payment for October.

If you were released from prison and have a disability, contact us for more information about filing a claim for benefits. You'll need to provide proof of your release from prison, in addition to a new application and other documents.

NOTE: *We can't start your benefits until your release. We must have your official release documents from the jail or prison where you were confined. Please remember to provide your release forms when applying. This will help us get your benefits started faster.*

What about my Medicare or Medicaid coverage?

Your eligibility for Medicare

Part A (Hospital Insurance) continues uninterrupted while you're in prison. To keep your **Part B** (Medical Insurance) coverage, you must pay the monthly premiums or your coverage will end.

If your coverage ends while you're in jail because you didn't pay your Medicare premiums, you'll be able to enroll during the General Enrollment Period (January through March of each year). If you enroll during a General Enrollment Period, your Part B coverage will start in July in the year in which you enroll. You will be responsible for any unpaid past-due premiums and you may have to pay a late enrollment penalty for as long as you have Part B.

NOTE: Medicare generally doesn't pay for your hospital or medical bills if you're incarcerated. However, you may want to pay your Medicare medical insurance premiums to prevent any gaps in coverage and to avoid late enrollment penalties.

If your Medicaid eligibility terminated while you were in prison, you'll need to contact your local social services office to apply for Medicaid coverage. We can provide a referral form for you to take to the social services office.

How do I file an application if I am in prison?

After you learn your release date, notify someone at your facility that you want to start your Social Security benefits or SSI payments. **If your institution has a prerelease agreement with the local Social Security office**, it will notify us if you're likely to meet the requirements for SSI payments or disability benefits. We'll need an application from you several months before your anticipated release. That way, we can begin processing your application and your benefits can start as soon as possible after your release.

If you're filing for benefits based on disability, we'll gather medical evidence from your doctors to help us decide whether you still meet our definition of disability.

Family members or a social worker can help you by contacting Social Security to let us know of your upcoming release. A family member may also serve as your representative payee if your medical condition prevents you from handling your own finances.

If there is no prerelease agreement, when you know your anticipated release date, contact us to apply for benefits if you think you may be eligible. You can call us toll-free at **1-800-772-1213** and explain you're scheduled to be released and want to ask about applying for benefits. Please have your Social Security number handy when you contact us.

What happens if I have a financial emergency and can't pay my bills?

If you use our prerelease procedure and you qualify for benefits, we can usually get your benefits started soon after your release. If we're unable to do so, and you're facing a financial emergency, we can issue a payment immediately if we determine that:

- You're eligible for either Social Security disability benefits or SSI payments.
- You're already due a payment.
- Your situation qualifies as a financial emergency under our rules.

Contacting Social Security

The most convenient way to do business with us from anywhere, on any device, is to visit **www.ssa.gov**. There are several things you can do online: apply for benefits; get useful information; find publications; and get answers to frequently asked questions.

Or, you can call us toll-free at **1-800-772-1213** or at **1-800-325-0778** (TTY) if you're deaf or hard of hearing. We can answer your call from 7 a.m. to 7 p.m., weekdays. You can also use our automated services via telephone, 24 hours a day. We look forward to serving you.

Social Security Administration

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