Securing today and tomorrow

What Prisoners Need To Know

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Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI) payments generally are not payable for months during which 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 people 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 have a disability, 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 contact us to 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: You received monthly **Social Security disability benefits** before being convicted of a crime and sent to prison on May 15, 2020. Your benefits were suspended effective May 2020. On October 10, 2020, you were released from prison and your benefits were reinstated effective November 2020. Since Social Security benefits are paid in the month following the month for which they are due, you will receive a November benefit in December 2020.

Example: You received **SSI payments** before being confined to prison on June 7, 2020. When you were released on September 7, 2020, your SSI payments were reinstated as of September 7, 2020. You 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 the 1st day of the month after 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.

You may be eligible for a Special Enrollment Period for Part B if you missed an opportunity to enroll or reenroll in Part B while incarcerated. If you are eligible, you do not have to pay a late enrollment penalty. Ask us about this Special Enrollment Period.

NOTE: *Medicare generally doesn't pay for your hospital or medical bills if you're incarcerated. However, if you aren't going to be incarcerated long enough to miss an enrollment period, you may want to pay your Medicare Part B premiums. This will prevent any gaps in coverage and avoid late enrollment penalties.*

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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. **Your institution may have a prerelease agreement with the local Social Security office. If so,** 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 that 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 Us

The most convenient way to do business with us is to visit ***www.ssa.gov*** to get information and use our online services. There are several things you can do online: apply for benefits; start or complete your request for an original or replacement Social Security card; 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 8 a.m. to 7 p.m., weekdays. We provide free interpreter services upon request. For quicker access to a representative, try calling early in the day (between 8 a.m. and 10 a.m. local time) or later in the day. **We are less busy later in the week (Wednesday to Friday) and later in the month.** You can also use our automated services via telephone, 24 hours a day, so you do not need to speak with a representative.

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