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 aren't payable for months that you're confined to a jail, prison, or certain other public institutions for committing a crime. You're not automatically eligible for Social Security or SSI payments after your release.

Who can get Social Security benefits?

Social Security pays retirement benefits to people who are age 62 or older. Generally, you must have worked and paid Social Security taxes for 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, doesn't qualify for disability payments.

Who can get SSI payments?

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

No benefits are payable for any month in 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, your benefits will be suspended if you're convicted of a criminal offense and sent to jail or prison for more than 30 continuous days. Your benefits can be reinstated 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, your payments are suspended while you're in prison. Your payments can be reinstated in the month you're released. However, if your confinement lasts for 12 consecutive months or longer, your eligibility for SSI benefits will terminate and you must file a new application for benefits.

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

If we suspend your disability or SSI benefits because you were in prison, you can request for Social Security to reinstate your benefits. You'll need to contact Social Security 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, 2018. His benefits were suspended effective May 2018. On October 10, 2018, George was released from prison. His benefits were reinstated effective November 2018. 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 2018.

Example: Sam received **SSI benefits** before he was confined to prison on June 7, 2018. He was released on September 7, 2018 and his SSI benefits were reinstated as of September 7, 2018. Sam will be eligible for a partial payment for September and full benefits for October.

If you weren't receiving either Social Security disability or SSI benefits before you went to prison, or your SSI benefits were terminated, you'll need to file a new application for benefits if you think you may be eligible. You should contact Social Security 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 bring your release forms when you visit your local Social Security office. This will help us get your benefits started more quickly.*

What about my Medicare or Medicaid coverage?

Your eligibility for Medicare Part A (hospital insurance) continues uninterrupted while you're in prison. But, **Medicare Part B** (medical insurance) will terminate if you don't pay your monthly premiums while you're in prison. To start Medicare Part B, you'll need to file an application with us during a general enrollment period, which is January through March of each year. If you file during this enrollment period, your Part B eligibility will begin on July 1 of that year.

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 know your release date, notify someone at your facility that you want to start your Social Security or SSI benefits. I**f 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 or disability benefits. We'll get 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 Social Security's 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 also may be willing to 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 Social Security to apply for benefits if you think you may be eligible. You can call us toll-free at **1-800-772-1213** and tell the representative that you're scheduled to be released from a correctional facility and want to ask about receiving benefits. Please have your Social Security number handy when you contact us. We'll set up an appointment with your local Social Security office to take your application after your release.

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

If the prerelease procedure is used and you're qualified 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 or SSI benefits;
- You're already due a payment; and
- Your situation qualifies as a financial emergency under our rules.

Contacting Social Security

The most convenient way to contact us anytime, anywhere is to visit ***www.socialsecurity.gov***. There, you can: apply for benefits; open a *my* Social Security account, which you can use to review your *Social Security Statement*, verify your earnings, print a benefit verification letter, change your direct deposit information, request a replacement Medicare card, and get a replacement SSA-1099/1042S; obtain valuable information; find publications; get answers to frequently asked questions; and much more.

If you don't have access to the internet, we offer many automated services by telephone, 24 hours a day, 7 days a week. Call us toll-free at **1-800-772-1213** or at our TTY number, **1-800-325-0778**, if you're deaf or hard of hearing.

If you need to speak to a person, we can answer your calls from 7 a.m. to 7 p.m., Monday through Friday. We ask for your patience during busy periods since you may experience higher than usual rate of

busy signals and longer hold times to speak to us. We look forward to serving you.

Notes

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