



Social Security

Benefits America!

What Prisoners Need To Know

www.socialsecurity.gov

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Social Security and Supplemental Security Income (SSI) payments generally are not payable for months that you are confined to a jail, prison or certain other public institutions for commission of a crime. You are not automatically eligible for Social Security or SSI payments when you are released.

Who can get Social Security benefits?

Social Security disability benefits can be paid to people who have recently worked and paid Social Security taxes and are unable to work because of a serious medical condition that is expected to last at least a year or result in death. The fact that a person is a recent parolee or is unemployed does not qualify as a disability.

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

Who can get SSI payments?

SSI can be paid to people who are age 65 or older or who are blind or disabled and whose income and resources are below certain limits.

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

What happens to my benefits when I am in prison?

If you are receiving Social Security, your benefits will be suspended if you are admitted for more than 30 continuous days to a jail or prison because you were convicted of a criminal offense. Your benefits can be reinstated starting with the month following the month you are released.

Although you cannot receive monthly Social Security benefits while you are confined, benefits to your spouse or children will continue as long as they remain eligible.

If you are receiving SSI, your payments are suspended while you are in prison. Your payments can be reinstated in the month you are 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 started when I am ready to be released?

If your **Social Security or SSI benefits** were suspended because you were in **prison**, you can request that they be started. You will need to contact Social Security and provide a copy of your release documents before we can take action on your request.

Example: George was receiving **Social Security disability benefits**. He was convicted and confined to prison on May 15, 2007, and his benefits were suspended effective with May 2007. On October 10, 2009, George was released and his benefits were reinstated effective with November 2009. 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.

Example: Sam was receiving **SSI disability benefits** and was confined to prison on June 7, 2009. He was released on September 7, 2009. His SSI can be reinstated as of September 7. Sam will be eligible for a partial payment for September and full benefits for October.

If you were not receiving either **Social Security or SSI benefits before you went to prison or your SSI benefits were terminated**, you will 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 will need to provide proof of your release from prison, in addition to a new application and other documents.

***NOTE:** We cannot start your benefits until you are actually released. And 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 are in prison. But **Part B Medicare** (medical insurance) will terminate if you do not pay your monthly premiums while you are in prison. To start Part B Medicare, you will 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 was terminated while you were in prison, you will 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. **If your institution has a prerelease agreement with the local Social Security office**, it will notify us if you are likely to meet the requirements for SSI or Social Security benefits. We will obtain 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 are filing for benefits based on disability, we will gather medical evidence from your doctors to help us decide whether you are disabled under our rules.

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 are 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 will set up an appointment with your local Social Security office to take your application after you are released.

What happens if I have a financial emergency and cannot pay my bills?

If the prerelease procedure is used and you are qualified for benefits, we usually can get your benefits started soon after your release. If we are unable to do so and you are facing a financial emergency, we can issue a payment immediately if we determine that:

- You are eligible for either Social Security or SSI benefits;
- You are already due a payment; and
- Your situation qualifies as a financial emergency under our rules.

Contacting Social Security

For more information and to find copies of our publications, visit our website at www.socialsecurity.gov or call toll-free, **1-800-772-1213** (for the deaf or hard of hearing, call our TTY number, **1-800-325-0778**). We treat all calls confidentially. We can answer specific questions from 7 a.m. until 7 p.m., Monday through Friday. We can provide automated phone service 24 hours a day.

We also want to make sure you receive accurate and courteous service. That is why we have a second Social Security representative monitor some telephone calls.



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