

Incarceration and SSI/SSDI

Fact Sheet 2023

What happens to my benefits when I am incarcerated?

Regarding incarceration, there are different rules for Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI) payments.

If you receive SSDI, your benefits will be suspended (temporarily stopped) if you're convicted of a criminal offense and sent to jail or prison for more than 30 continuous days. However, if you are incarcerated while awaiting trial, your benefits will continue during that time. Your benefits can be reinstated starting the month following the month of your release.

Although you can't receive monthly SSDI benefits while you're incarcerated (except when awaiting trial), benefits to your spouse or children will continue if they remain eligible.

If you receive SSI, your payments are suspended while you're incarcerated including while you are awaiting trial.

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 your SSDI or SSI benefits are suspended because you were in prison, you can request Social Security to reinstate your benefits. You'll need to contact Social Security and provide a copy of your release documents before they can act on your request.

What about my Medicare or Medicaid coverage?

Your eligibility for Medicare Part A (hospital insurance) continues uninterrupted while you're in prison. However, Medicare Part B (medical insurance) will terminate if you don't pay your monthly premiums while you're in prison.

If your Medicaid eligibility is terminated while in prison, you'll need to contact your local Medicaid office to apply for Medicaid coverage.

A Community Work Incentives Coordinator can help you understand the impact incarceration will have on your SSDI and SSI benefits.

For more information about

Work Without Limits Benefits Counseling

call us toll-free

1-877-YES-WORK
(1-877-937-9675)

or visit

workwithoutlimits.org