

Effective Dates: 05/28/2015 - Present (Go to History)

SENSITIVE - NOT TO BE SHARED WITH THE PUBLIC

TN 9 (01-19)

TC 36001.050 Prisoners and Other Inmates

A. Policy

1. Title II

The law requires the Social Security Administration (SSA) to suspend benefits to prisoners and other inmates. Beginning 04/01/00, SSA must suspend benefits for Title II beneficiaries:

- who are confined to a penal institution for more than 30 continuous days due to the conviction for a criminal offense, or
- after a court of competent jurisdiction issues a verdict, finding or a ruling that declares the beneficiary:
 - guilty but insane with respect to a criminal offense, or
 - not guilty of such criminal offense by reason of insanity (NGRI), or
 - incompetent to stand trial under an allegation of a criminal offense, or
 - determined to have a similar verdict or finding with respect to a criminal offense based on similar factors (e.g., such as mental disease),
and
 - the institution officially confines the beneficiary at public expense for more than 30 continuous days, or
 - immediately after a beneficiary serves his or her criminal sentence in a correctional institution (the beneficiary was confined for committing a crime involving inappropriate sexual activity), the institution confines the beneficiary at public expense for more than 30 continuous days because the court found the beneficiary was medically and legally a sexually dangerous person, a sexual predator, or had a similar finding.

For additional information about the suspension provisions for prisoners and other inmates, including the law for periods prior to 04/01/00, see [GN 02607.001C](#).

2. Title XVI

A resident of a correctional institution is a resident of a public institution for purposes of Supplemental Security Income (SSI) payments. When an SSI recipient is in a correctional institution throughout a month, he or she is ineligible for SSI.

NOTE: We consider a private facility that is acting as an agent of Federal, State, or local penal authorities, a public institution for SSI purposes (see [SI 00520.001C.2.a](#)).

You can find additional information about issues such as an SSI recipient's authorized or unauthorized absence from a correctional institution, in [GN 02607.050](#).

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Section History

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Minor Change Explanation

Effective Date Title

5/29/2015 [Prisoners and Other Inmates](#)
9/17/2014 [Prisoners and Other Inmates](#)
8/29/2012 [Prisoners and Other Inmates](#)

Prior Versions of Section

Effective Date

Title

5/28/2015 - 05/27/2015 [Prisoners and Other Inmates](#)
9/16/2014 - 05/27/2015 [Prisoners and Other Inmates](#)
8/28/2012 - 09/15/2014 [Prisoners and Other Inmates](#)
8/03/2012 - 08/27/2012 [Prisoners and Other Inmates](#)
5/18/2012 - 08/02/2012 [Prisoners and Other Inmates](#)

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