



Disabled and Leaving Prison: Social Security and other Benefits

The Disabilities Rights Center is dedicated to eliminating barriers existing in New Hampshire to the full and equal enjoyment of civil and other legal rights by people with disabilities.

This brochure is not meant to be legal advice. For specific legal advice an attorney should be consulted.



www.drcnh.org

Disabilities Rights Center

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Disabilities Rights Center

Protection and Advocacy System for New Hampshire

Social Security:

If you are an inmate and have not received Supplemental Security Income (SSI) payments for twelve months or more, you must re-apply for SSI benefits. You are eligible to apply under Social Security's Pre-Release Program. You or the prison can apply by mail or online. Under this program, Social Security can process your SSI application several months before your anticipated release, and make a determination of potential eligibility and payment amount based on anticipated circumstances. In addition, you can apply for food stamps through the pre-release program, even though the food stamp application is a NH Department of Health and Human Services application. The local Social Security office should be able to provide and accept this application and forward it to DHHS. If they do not, you should contact DHHS directly.

Typically the determination of eligibility takes three to six months. SSI payments are made during the first month you are deemed eligible. Therefore in order to receive benefits as close to your release, you should apply at least 90 days in advance of the release date. An inmate's parole officer or social worker usually contacts the local Social Security Office and sets up an appointment to begin the application process approximately 90 days before the release date. You can also contact Social Security directly to start the pre-release application for SSI benefits. Write the address and number of your Social Security office here:



If you received Social Security Disability Insurance (SSDI) prior to incarceration, your benefits will be reinstated the next month after your release. Depending on how long you have been in prison you may need another medical exam before benefits can be reinstated. If so, it may also take three to six months before your application is processed. If there is no need for a medical exam, you could be eligible for benefits when you are released.

EMERGENCY ADVANCE PAYMENTS

If you do not file for SSI in time to receive benefits immediately upon your release, you may be eligible for Emergency Advance Payments (EAP) once you are released. EAPs are made to individuals who are eligible for SSI benefits who are experiencing a financial emergency, when the first SSI payment will not be made fast enough to help. The Social Security Field Office can make a presumptive determination that an individual is eligible for SSI and begin emergency payments. However, these payments are advances against future SSI payments and must be repaid. SSA can recover EAP in either six equal installments over six months as a reduction from an individual's SSI check (benefits for the six months period would be reduced), or if an individual is due a retroactive check, SSA can take the full EAP amount from that retroactive check. EAPs are not available to SSDI recipients. In certain emergency circumstances, SSDI recipients may be eligible for an immediate payment.

AFTER YOUR RELEASE: RESOURCES

HELP GOING BACK TO WORK

If you want to work after your release, here are some things you should know about that can help you get started:

The Division of Vocational Rehabilitation may be able to provide you with help improving your job skills and finding a job. VR's statewide number is 271-3471. There are district offices in all regions of the state.

Write the address and phone number of your VR district office here:

You may be eligible for the federal Ticket to Work program, a program for Social Security beneficiaries that allows you to receive employment services from any employment network in the state that is willing to take your case.

If you are able to work once you are released from prison, you may be eligible for the MEAD program (Medicaid for Employed Adults with Disabilities).

The DRC has more information on both the Ticket to Work and the MEAD programs: call us and request a pamphlet.



BENEFITS PLANNING

Before you go back to work, you may wish to contact a benefits planner to get a better understanding of how working would affect your social security benefits and other benefits that you might be eligible for. A benefits planner is a person paid for by the federal government who can look at your current financial situation and calculate how money you earn will affect the benefits you are currently eligible for. In New Hampshire you should call Granite State Independent Living at 1-800-826-3700 or 603-228-9680 and let them know that you wish to make an appointment with a benefits planner because you are considering going back to work and wish to understand how your benefits might be affected.

You can apply to the Department of Health and Human Services (DHHS) for food stamps, cash assistance, aid to the permanently and totally disabled (APTD), and Medicaid, or to your town welfare office for emergency assistance. There are 12 DHHS district offices in New Hampshire. Write the address and phone number of your district office here:



Does the DRC Represent Inmates?

The DRC represents a limited number of inmates who have specific questions related to their disability, such as access to assistive devices, appropriate medical and psychiatric services, and reasonable accommodations. The DRC does not take cases relating to general prison conditions or provider or treatment choice. The DRC does not handle criminal cases.

Other places to go for information and referral:

2-1-1 New Hampshire:
1-866-444-4211

ServiceLink:
1-866-634-9412



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