



# PROMOTE MARRIAGE EQUALITY AND FINANCIAL INDEPENDENCE OF PEOPLE WITH DISABILITIES

*Eliminate the Marriage Penalty in Social Security Disability Benefit Programs*

## DID YOU KNOW?

- Social Security disability benefits, including Supplemental Security Income (SSI) and Disabled Adult Child (DAC), provide eligible individuals with disabilities with a cash benefit to assist with their basic living needs, such as food, clothing, and shelter. ([Source: Social Security Administration](#))
- In most states, SSI and DAC eligibility also provides access to healthcare and essential in-home and community supports through Medicaid and/or Medicare. ([Source: Centers for Medicaid and Medicare Services](#))
- A marriage penalty exists in current law where SSI or DAC beneficiaries can completely lose their benefits and healthcare or face significant cuts in benefits and their ability to save (asset limit) if they marry. ([Source: Social Security Administration](#))
- More than 60% of all adults with SMA reported having never been married. ([Source: Cure SMA Community Survey](#))

## CURE SMA POSITION

Cure SMA urges Congress to promote the rights of people with SMA and other disabilities to marry (without penalty) by eliminating the marriage penalty in disability benefit programs.

- Disregard marital status when determining eligibility and calculating benefit amounts and asset limits for Social Security disability programs (SSI/ DAC) for individuals with disabilities; and
- Exclude a spouse's income and resources when determining eligibility for Social Security disability benefits (SSI/ DAC).

## WHY CONGRESS SHOULD ACT

Many individuals with SMA and other disabilities rely on Social Security disability benefits (SSI or DAC) for their basic living needs and healthcare and in-home caregiving supports. SSI and DAC beneficiaries are penalized if they marry due to marriage penalties that exist in current law:

- When two SSI beneficiaries marry, their combined monthly SSI benefit and asset limit are [reduced by 25 percent](#);
- A SSI beneficiary who marries a non-SSI beneficiary could lose or see cuts to their SSI benefits based on the assets and income of their non-SSI spouse (known as [spousal deeming](#)); and
- DAC beneficiaries will lose their DAC benefits if they marry someone not receiving DAC or other Social Security benefits.

Changes to law are required to ensure individuals with disabilities who receive disability benefits can marry when and who they want without risk of benefit loss or cuts. This discriminatory policy is contributing toward the reality that people with disabilities live in poverty at [more than twice the rate](#) of people without disabilities.



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Cure SMA is a national organization that advocates for individuals with spinal muscular atrophy, a progressive neurodegenerative disease that robs people of physical strength, taking away their ability to walk, swallow, and breathe.