Disabled Americans Know Marriage Inequality Is Still Here

For some disabled Americans, getting married can mean losing income, health coverage, or the services that make independent life possible.

JAN 27, 2026

“Our entire decision (to get married) was based upon whether or not we would lose money and how much we would lose,” SSI recipient Lewis Fredette told the Associated Press.

Fredette and his fiancée, Jennifer Updike, are both autistic and receive Supplemental Security Income. They got engaged in 2023, but have remained engaged rather than legally marrying. Their concern is straightforward: under SSI’s rules for married couples, they would receive less money each month and be allowed to keep less in savings.

Their situation is an example of what disability advocates call the **marriage penalty**.

It is not one law, and it does not affect every disability benefit in the same way. Instead, several federal benefit rules can make marriage financially dangerous for people who depend on programs such as SSI, certain Medicaid pathways, or Disabled Adult Child benefits.

For some couples, getting married means doing the math on what they can afford to lose.

Why marriage becomes a penalty

SSI is a needs-based program for people with very limited income and resources who are disabled, blind, or at least 65 years old. Unlike Social Security Disability Insurance, eligibility does not depend on someone's previous work history.

The program assumes that married people can share expenses. That assumption is built directly into how benefits are calculated.

In 2026, the maximum federal SSI payment is **$994 a month for one person**.

Two unmarried recipients could therefore receive as much as **$1,988 combined**.

If those same two people marry, the maximum payment for the couple is **$1,491**.

That is **$497 less every month**, or **$5,964 less over a year**, before considering other income that might affect their benefits.

Savings are treated differently, too.

One SSI recipient may have up to **$2,000 in countable resources**. Two unmarried recipients can therefore have $4,000 between them.

A married couple gets a combined limit of **$3,000**.

In other words, two people do not receive twice the financial room simply because there are now two adults to support. The couple is allowed only $1,000 more in countable resources than a single recipient.

If only one spouse receives SSI, another rule can come into play. Social Security may count, or “deem,” some of the other spouse’s income and resources as available to the SSI recipient. That can reduce the payment or eliminate SSI eligibility altogether.

The stakes can include health care and independence

The monthly SSI payment is only part of the problem saving money for emergencies.

For many disabled people, eligibility for public benefits is connected to health coverage and services that would be extraordinarily expensive to replace privately. The exact rules vary by state and program, but Medicaid is especially important because it can cover long-term services and supports that conventional health insurance may not provide.

Medicaid Home and Community-Based Services programs can include personal care, home health aides, habilitation, respite care, case management, supported employment, environmental modifications and other services that allow disabled people to live and participate in their communities rather than institutional settings.

That changes what “losing benefits” means.

For one person, it may mean less monthly income. For another, eligibility is connected to the person who helps them get dressed in the morning, equipment they need to move safely through the world, or support that allows them to work and live independently.

The National Council on Disability has specifically identified income and asset limits as a barrier to economic security for people with disabilities, including marriage penalties created when a spouse’s income and resources begin counting against eligibility.

The rules make financial stability risky

The limits affect people before marriage enters the picture.

A $2,000 individual resource limit leaves very little room for an ordinary emergency fund. A married couple has to stay below $3,000.

There are, of course, exceptions. The home someone lives in generally does not count toward the SSI resource limit. One vehicle may be excluded. Certain special needs trusts, ABLE accounts and property needed for self-support can also receive special treatment.

So the rule is not that SSI recipients are simply forbidden from owning anything, it’s more nuanced.

The problem is that **ordinary, unrestricted savings remain subject to an extremely low ceiling**. Building a cash cushion for an emergency can put eligibility at risk. Benefits cliffs can also leave someone earning too much to qualify for a program while still earning nowhere near enough to privately replace the services that program provided. The National Council on Disability has described exactly this problem as a barrier to employment and self-sufficiency.

The result can make some of the most basic steps toward financial stability unusually complicated: saving for emergencies, preparing for retirement, absorbing a medical bill, or accepting additional income without first calculating what other support might disappear.

When a private relationship becomes a benefits question

Legal marriage is not the only relationship status SSI considers.

Social Security rules allow two unmarried people who live together to be treated as a married couple for SSI purposes if they are found to be **“holding themselves out” as married**.

Current Social Security guidance says that can include telling other people they are married, referring to each other as a spouse, husband or wife, or using the same last name. SSA also notes that terms such as partner, boyfriend, girlfriend or fiancé may indicate that a couple is *not* holding themselves out as married.

That gives seemingly private choices a financial consequence: what a couple calls one another, how they present their relationship, and whether Social Security considers them spouses.

For people already trying to protect access to essential benefits, even defining a relationship can become bureaucratic.

Not every disability benefit works this way

SSDI based on a disabled worker’s own employment record generally stays the same when that person marries. Social Security explicitly says marriage does not change disability or retirement benefits paid on someone's own record.

SSI is different because it is means-tested. Household income, resources and marital status can affect the calculation.

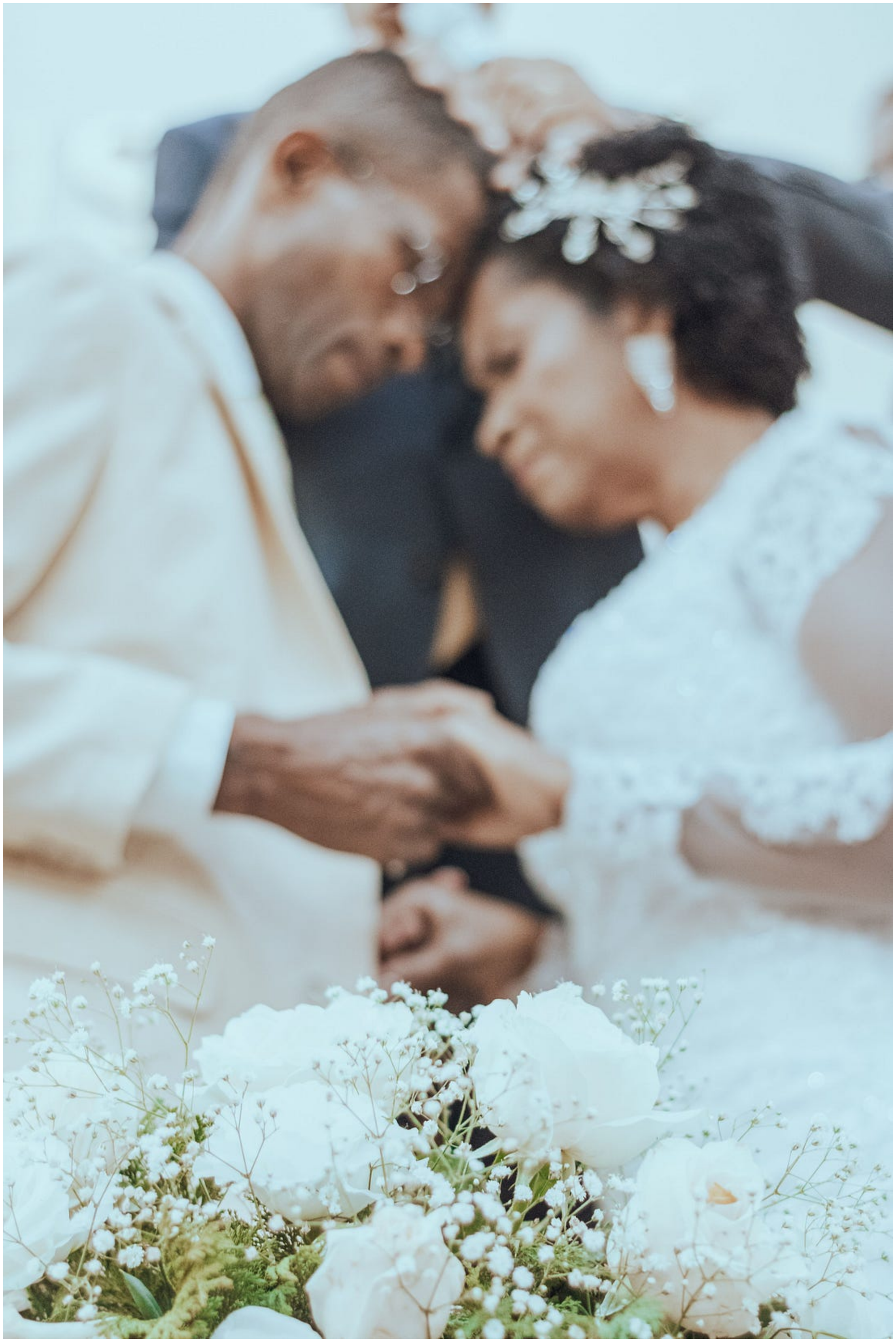
Disabled Adult Child, or DAC, benefits have another set of rules. DAC provides Social Security benefits based on a parent's work record to qualifying adults whose disability began before age 22. In most cases, the recipient must be unmarried, and benefits usually end upon marriage. There are exceptions for marriages to certain other Social Security beneficiaries.

Medicaid is more complicated still. Eligibility and the consequences of marriage depend on the state and the particular Medicaid pathway involved.

So “disabled people lose their benefits when they marry” is not quite right.

The more accurate problem is that **some of the programs most important to disabled people attach significant financial consequences to marriage**, and those consequences can be severe enough to change whether a couple feels able to marry at all.

Marriage carries more than a financial value



Marriage is a legal status, but for many people it is also a religious sacrament, a cultural tradition, a public commitment, or part of how they understand family.

It also brings a package of legal recognition involving areas such as inheritance, taxes, family law and decision-making. Unmarried couples can recreate some protections through wills, powers of attorney and other legal documents, but doing so requires additional planning and does not make every situation equivalent.

For a couple that wants marriage, telling them simply to remain unmarried is not a neutral solution.

They are being asked to give up one form of recognition in order to protect another form of security.

These rules are policy choices

There is nothing inevitable about the current structure.

Congress has already considered several approaches to changing it.

The **Marriage Equality for Disabled Adults Act**, introduced in the House in 2025, addresses marriage restrictions affecting Disabled Adult Child beneficiaries.

The **Eliminating the Marriage Penalty in SSI Act** was introduced in both chambers to change the treatment of marriage for certain adults with intellectual or developmental disabilities receiving SSI.

A bipartisan group of lawmakers also introduced the **SSI Savings Penalty Elimination Act**, which would update SSI's resource limits.

Those proposals take different approaches, and none by itself resolves every way marriage can interact with disability benefits. They do show that the current system is open to reform.

What reform could look like

Possible reforms include:

- raising SSI resource limits and indexing them to inflation;
- reducing the gap between individual and married-couple SSI benefits;
- changing spousal deeming rules that can make a partner's income threaten eligibility;
- protecting access to Medicaid and long-term disability supports when people marry;
- removing marriage as a reason to terminate DAC benefits; and
- narrowing or eliminating SSI rules that treat unmarried couples as married based on how they present their relationship.

Disabled Americans should be able to build relationships without first calculating whether legal recognition will cost them the support they need to stay healthy and independent.

The details of benefit policy are complicated. The underlying issue is not.

A marriage license should not threaten a disabled person's ability to live safely in their own home, receive necessary care, or remain part of their community.

Marriage equality remains unfinished while that tradeoff exists.

To learn more

SSA: Who can get SSI
SSA: 2026 SSI payment and resource limits
National Council on Disability: Toward Economic Security

DREDF: Advancing Marriage Equality Toolkit
CMS: Home & Community-Based Services