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Day 13: Marriage Inequality

Many people may think that marriage inequality no longer exists in the United States since the Supreme Court ruled bans on same-sex marriage unconstitutional in 2015; however, another form of marriage inequality remains in this country. People with disabilities often depend on federal benefits, such as Social Security income, Medicare, or Medicaid, to survive. These benefits can be difficult to acquire and still leave recipients living well below the poverty line. If a person with a disability receives Social Security income and gets married, their payments may be significantly cut or even eliminated altogether on the basis of their spouse's income or assets. The impact of these cuts can be devastating. People with disabilities may also lose their Medicare or Medicaid coverage after marriage.

Ultimately, disabled people may not be able to financially or medically survive the loss of benefits. As a result, many Americans with disabilities cannot marry the people they love, or even live with them in states that recognize common-law marriage. Some married people with disabilities are also forced to choose between staying married and acquiring or maintaining the benefits they need to survive. No one should have to make that choice.



[Image description: Two gold rings linked together with an equal sign in them and part of one ring forms a wheelchair with a person in it; text reads: "Don't make me choose between my love and my healthcare!"]

Learn More

Read:

- A Simple Fix For One of Disabled People's Most Persistent, Pointless Injustices (includes audio narration) <https://www.forbes.com/sites/andrewpulrang/2020/08/31/a-simple-fix-for-one-of-disabled-peoples-most-persistent-pointless-injustices/?sh=1735a2311d44>

Watch:

- Did Love Win? (3:19, includes captions and audio description) https://youtu.be/YM8nGt3_foA (transcript here: https://rootedinrights.org/wp-content/uploads/2018/09/CSTDidLoveWin_transcript_01.docx)

Listen:

- NPR: Millions of disabled Americans could lose federal benefits if they get married (3:57, includes transcript) <https://www.npr.org/2022/02/13/1080464176/disabled-americans-cant-marry-able-bodiedpartners-without-losing-federal-benefi>
- NPR: The Affordable Care Act, Medicaid and Divorce (3:25, includes transcript) <https://www.npr.org/2017/03/08/519170657/the-affordable-care-act-medicaid-and-divorce>

Discussion:

- In what ways can this country be supportive of true marriage equality?
- Facing a choice between marrying the person you love or losing financial and/or health stability, what would you choose?

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