NBC News reports.

♫ upbeat guitar and drums ♫

ANCHOR: Now to that historic Supreme Court decision

legalizing same-sex marriage across the land

and it's profound.

[crowds cheering]

REPORTER: There is a right to marriage equality, I repeat

speaking to you from the steps of the Supreme Court,

there is a right to marriage equality.

Breaking news clip. People wave flags with equal signs.

CARRIE: The 2015 Supreme Court decision

in Obergefell v. Hodges marked

a huge legal leap forward for LGBTQ people.

But what if marriage equality isn't so equal after all?

Outside of City Hall.

I'm Carrie Wade, queer disability rights activist.

And for some disabled queer people

getting married still means risking their health,

safety and independence.

That's because Social Security assistance programs

often come with marriage penalties.

Let's look at the two biggest

federal assistance programs.

Supplemental Security Income or SSI

provides monthly payments to people with low income

and resources who are 65 or older, blind or disabled.

If you quality for SSI you typically qualify

for Medicaid, too.

Social Security Disability Insurance or SSDI

is based on work history instead of income.

You start receiving Medicare

after you've been getting SSDI for two years.

So there are some key differences

between these programs.

But in both cases,

marriage changes your benefit amount.

SSI benefits are cut based on your spouse's income

and if you receive SSDI through

the Adult Disabled Child Program

your benefits are cut off entirely

if you marry someone who's working.

That not only translates to loss of income,

but potentially health care services, too.

All because you decided to get married.

So for queer people on these programs,

marriage doesn't necessarily mean equality.

In fact, some still can't discuss their relationships

publicly even if they're not yet married

for fear of losing access to benefits.

That's the situation for Dominick.

He's a queer trans person

who's been with his girlfriend for 15 years

and he agreed to talk with me online

using only his first name.

DOMINICK: The penalty for me is,

I choose between: do I get married

or do I keep these lifesaving

health care services I need?

Because if I don't have those

I don't get out of bed, I don't go to the bathroom,

I don't eat, I can't work.

It's also limiting because Social Security

is now asking disabled people

if they're living as though they are married.

So that for me has been really hard

because I sometimes can't even admit

that we're together.

CARRIE: How has your girlfriend negotiated that

and how does she feel about it?

I assume you guys have had

a lot of conversations about this.

DOMINICK: She doesn't mention me, you know?

We don't talk about it because

I don't think we want to

have to go there.

CARRIE: Obergefell promises

equal dignity in the eyes of the law.

But marriage penalties mean that might not be

a reality for disabled people and our partners.

DOMINICK: It's the difference between

do I live or do I get married?

If that's not a fight for equality, I don't know what is.

CARRIE: To help get the word out about these penalties

please share this video in all the ways we can

and visit RootedinRights.org/DidLoveWin

for more information and ways to get involved.

Written and directed by Carrie Wade

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