

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1339

To amend title II of the Social Security Act to provide that the waiting period for disability benefits shall not be applicable in the case of a disabled individual suffering from a terminal illness.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 16, 1993

Mr. SWIFT (for himself, Mrs. UNSOELD, Mr. KILDEE, and Mr. NEAL of North Carolina) introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To amend title II of the Social Security Act to provide that the waiting period for disability benefits shall not be applicable in the case of a disabled individual suffering from a terminal illness.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       That (a) the first sentence of section 223(a)(1) of the So-  
4       cial Security Act is amended, in clause (ii) thereof—

5               (1) by inserting “(I)” immediately after “but  
6       only if”, and

7               (2) by inserting “or (II) he has a terminal ill-  
8       ness (as defined in subsection (e)),” immediately

1 after “the first month in which he is under such  
2 disability”.

3 (b) Section 223 of such Act is further amended by  
4 adding at the end thereof the following new subsection:

5 “Definition of Terminal Illness

6 “(e) As used in this section, the term ‘terminal ill-  
7 ness’ means, in the case of any individual, a medically de-  
8 terminable physical impairment which is expected to result  
9 in the death of such individual within the next 12  
10 months.”.

11 SEC. 2. The amendments made by this Act shall be  
12 effective with respect to applications for disability insur-  
13 ance benefits under section 223 of the Social Security Act  
14 filed—

15 (1) in or after the month in which this Act is  
16 enacted, or

17 (2) before the month in which this Act is en-  
18 acted if—

19 (A) notice of the final decision of the Sec-  
20 retary of Health and Human Services has not  
21 been given to the applicant before such month,  
22 or

23 (B) the notice referred to in paragraph (1)  
24 has been so given before such month but a civil  
25 action with respect to such final decision is

1 commenced under section 205(g) of the Social  
2 Security Act (whether before, in, or after such  
3 month) and the decision in such civil action has  
4 not become final before such month;  
5 except that no monthly benefits under title II of the Social  
6 Security Act shall be payable by reason of the amend-  
7 ments made by this Act for any month before the month  
8 in which this Act is enacted.

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