

117TH CONGRESS  
1ST SESSION

# H. R. 4003

To amend title II of the Social Security Act to eliminate work disincentives for childhood disability beneficiaries.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 17, 2021

Mr. LARSON of Connecticut (for himself, Mr. REED, Mr. BLUMENAUER, Mr. DANNY K. DAVIS of Illinois, Mr. HIGGINS of New York, Mr. SUOZZI, Ms. MOORE of Wisconsin, Mr. FERGUSON, Mr. ESTES, Mrs. WALORSKI, Mrs. MILLER of West Virginia, Mr. HERN, Mr. KELLY of Pennsylvania, Mr. RICE of South Carolina, and Mr. WENSTRUP) 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 eliminate work disincentives for childhood disability beneficiaries.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Work Without Worry  
5 Act”.

1 **SEC. 2. ELIMINATION OF WORK DISINCENTIVE FOR CHILD-**  
2 **HOOD DISABILITY BENEFICIARIES.**

3 (a) IN GENERAL.—Section 202(d) of the Social Secu-  
4 rity Act (42 U.S.C. 402(d)) is amended—

5 (1) in paragraph (1)(B)(ii), by striking “is  
6 under a disability (as defined in section 223(d))  
7 which began before he attained the age of 22, and”  
8 and inserting the following: “is under a disability (as  
9 defined in section 223(d)), and—

10 “(I) the physical or mental im-  
11 pairment (or combination of impair-  
12 ments) that is the basis for the find-  
13 ing of disability began before the child  
14 attained the age of 22 (or is of such  
15 a type that can reasonably be pre-  
16 sumed to have begun before the child  
17 attained the age of 22, as determined  
18 by the Commissioner), and

19 “(II) the impairment or combina-  
20 tion of impairments could have been  
21 the basis for a finding of disability  
22 (without regard to whether the child  
23 was actually engaged in substantial  
24 gainful activity) before the child at-  
25 tained age 22, and”; and

1           (2) by adding at the end the following new  
2 paragraphs:

3           “(11)(A) In the case of a child described in  
4 subparagraph (B)(ii) of paragraph (1) who—

5                 “(i) has not attained early retirement age  
6 (as defined in section 216(l)(2));

7                 “(ii) has filed an application for child’s in-  
8 surance benefits; and

9                 “(iii) is insured for disability benefits (as  
10 determined under section 223(c)(1)) at the time  
11 of such filing,

12 such application shall be deemed to be an applica-  
13 tion for both child’s insurance benefits under this  
14 subsection and disability insurance benefits under  
15 section 223.

16           “(B) In the case of a child described in sub-  
17 paragraph (B)(ii) of paragraph (1) who—

18                 “(i) has attained early retirement age (as  
19 defined in section 216(l)(2));

20                 “(ii) has filed an application for child’s in-  
21 surance benefits; and

22                 “(iii) is a fully insured individual (as de-  
23 fined in section 214(a)) at the time of such fil-  
24 ing,

1 such application shall be deemed to be an applica-  
2 tion for both child’s insurance benefits under this  
3 subsection and old-age insurance benefits under sec-  
4 tion 202(a).

5 “(C) Notwithstanding paragraph (1), in the  
6 case of a child described in subparagraph (A) or  
7 (B), if, at the time of filing an application for child’s  
8 insurance benefits, the amount of the monthly old-  
9 age or disability insurance benefit to which the child  
10 would be entitled is greater than the amount of the  
11 monthly child’s insurance benefit to which the child  
12 would be entitled, the child shall not be entitled to  
13 a child’s insurance benefit based on such application.

14 “(D) For purposes of subparagraph (C), the  
15 amount of the monthly old-age or disability benefit  
16 to which the child would be entitled shall be deter-  
17 mined—

18 “(i) without regard to the primary insur-  
19 ance amount calculation described section  
20 215(a)(7); and

21 “(ii) before application of section 224.

22 “(12) For purposes of paragraph (1)(B)(ii), a  
23 child shall not be required to be continuously under  
24 a disability during the period between the date that

1 the disability began and the date that the applica-  
2 tion for child's insurance benefits is filed.”.

3 (b) EFFECTIVE DATE.—The amendments made by  
4 this section shall apply to applications filed on or after  
5 the date that is 24 months after the date of the enactment  
6 of this section.

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