

111TH CONGRESS
1ST SESSION

S. 998

To amend title II of the Social Security Act to eliminate the 5-month waiting period in the disability insurance program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 7, 2009

Mr. BROWN (for himself, Mr. LEAHY, and Mr. REED) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend title II of the Social Security Act to eliminate the 5-month waiting period in the disability insurance program, and for other purposes.

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 “Arthur Woolweaver,
5 Jr., Social Security Act Improvements for the Terminally
6 Ill Act”.

7 **SEC. 2. ELIMINATION OF TITLE II WAITING PERIOD FOR**
8 **TERMINALLY ILL INDIVIDUALS.**

9 (a) IN GENERAL.—Section 223(a)(1) of the Social
10 Security Act (42 U.S.C. 423(a)(1)) is amended by adding

1 at the end the following new sentence: “In the case of any
2 application for disability insurance benefits filed by an in-
3 dividual who is determined to be under a disability and
4 who has been certified as terminally ill by a physician (as
5 defined in section 1861(r)(1)), this paragraph shall be ap-
6 plied without regard to any waiting period. For the pur-
7 poses of the preceding sentence, an individual is consid-
8 ered to be terminally ill if the individual has a medical
9 prognosis that the individual’s life expectancy is 6 months
10 or less.”.

11 (b) EFFECTIVE DATE.—The amendment made by
12 this section shall take effect with respect to applications
13 filed after the date of the enactment of this Act.

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