

ALS Disability Insurance Access Act of 2019

[Public Law 116–250]

[As Amended Through P.L. 117–3, Enacted March 23, 2021]

Currency: This publication is a compilation of the text of Public Law 116–250. It was last amended by the public law listed in the As Amended Through note above and below at the bottom of each page of the pdf version and reflects current law through the date of the enactment of the public law listed at <https://www.govinfo.gov/app/collection/comps/>

Note: While this publication does not represent an official version of any Federal statute, substantial efforts have been made to ensure the accuracy of its contents. The official version of Federal law is found in the United States Statutes at Large and in the United States Code. The legal effect to be given to the Statutes at Large and the United States Code is established by statute (1 U.S.C. 112, 204).]

AN ACT To amend title II of the Social Security Act to eliminate the five-month waiting period for disability insurance benefits under such title for individuals with amyotrophic lateral sclerosis.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. [42 U.S.C. 1305 note] SHORT TITLE.

This Act may be cited as the “ALS Disability Insurance Access Act of 2019”.

SEC. 2. ELIMINATION OF WAITING PERIOD FOR SOCIAL SECURITY DISABILITY INSURANCE BENEFITS FOR DISABLED INDIVIDUALS WITH AMYOTROPHIC LATERAL SCLEROSIS (ALS).

(a) IN GENERAL.—Section 223(a)(1) of the Social Security Act (42 U.S.C. 423(a)(1)) is amended in the matter following subparagraph (E) by striking “or (ii)” and inserting “(ii) in the case of an individual who has been medically determined to have amyotrophic lateral sclerosis, for each month beginning with the first month during all of which the individual is under a disability and in which the individual becomes entitled to such insurance benefits, or (iii)”.

(b) **[42 U.S.C. 423 note] EFFECTIVE DATE.**—The amendment made by this section shall apply with respect to applications for disability insurance benefits approved after the date that is 5 months before the date of enactment of this Act¹.

¹ Effective on the date of enactment of this Act, section 1(a) of Public Law 117-3 amends section 2(b) of this Act by striking “applications for disability insurance benefits filed after the date of enactment of this Act” and inserting “applications for disability insurance benefits approved after the date that is 5 months before the date of enactment of this Act”. Such amendment should have been to strike “applications for disability insurance benefits filed after the date of [the] enactment of this Act”; however, it was carried out above to reflect the probable intent of Congress.