

107TH CONGRESS  
2D SESSION

# S. 2942

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

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 17, 2002

Mr. CRAPO (for himself, Mr. BAYH, Mr. SPECTER, Mr. MILLER, Mr. MCCAIN, and Mr. BUNNING) introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To amend title II of the Social Security Act to eliminate the five-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 “Social Security Act  
5       Improvements for the Terminally Ill Act”.

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

8       Section 223(a) of the Social Security Act (42 U.S.C.  
9       423(a)) is amended—

1           (1) in paragraph (1), by inserting “he meets  
2           the requirements of paragraph (3), or” after “but  
3           only if”; and

4           (2) by adding at the end the following new  
5           paragraph:

6           “(3)(A) For purposes of paragraph (1), an individual  
7           meets the requirements of this paragraph if—

8           “(i) the impairment underlying a finding that  
9           the individual is under a disability results in his  
10          death prior to the end of the applicable period de-  
11          scribed in subparagraph (B), or

12          “(ii)(I) in the case where such finding is made  
13          before the end of the applicable period, the Commis-  
14          sioner determines that, at the time such finding is  
15          made, such impairment is expected to result in the  
16          individual’s death prior to the end of such period, or

17          “(II) in the case where such finding is made  
18          after the end of the applicable period, the Commis-  
19          sioner determines that, at any time during such pe-  
20          riod, such impairment was expected to result in the  
21          individual’s death prior to the end of such period.

22          “(B) For the purposes of subparagraph (A), the ‘ap-  
23          plicable period’ is the period of the first six consecutive  
24          calendar months throughout which such individual is  
25          under a disability by reason of such impairment which be-

1 gins not earlier than the first day of the period described  
2 in subsection (c)(2)(B).”.

3 **SEC. 3. EFFECTIVE DATE.**

4       The amendments made by this Act shall take effect  
5 with respect to applications filed after the date of the en-  
6 actment of this Act.

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