

109TH CONGRESS
1ST SESSION

H. R. 2680

To amend the Social Security Act to permit a waiver by the Secretary of Health and Human Services of the 24-month waiting period for Medicare coverage of disabled individuals who are terminally ill.

IN THE HOUSE OF REPRESENTATIVES

MAY 26, 2005

Mr. HULSHOF (for himself, Mr. POMEROY, Mr. FOLEY, and Mr. SHAW) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend the Social Security Act to permit a waiver by the Secretary of Health and Human Services of the 24-month waiting period for Medicare coverage of disabled individuals who are terminally ill.

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 “Medicare for the Ter-
5 minally Ill Act of 2005”.

1 **SEC. 2. WAIVER OF 24-MONTH WAITING PERIOD FOR MEDI-**
 2 **CARE COVERAGE OF DISABLED INDIVIDUALS**
 3 **WHO ARE TERMINALLY ILL.**

4 (a) IN GENERAL.—Section 226(h) of the Social Secu-
 5 rity Act (42 U.S.C. 426(h)) is amended—

6 (1) by inserting “(A)” before “in the case”; and

7 (2) by inserting after “(ALS)” the following:
 8 “and (B) in the case of an individual whom a physi-
 9 cian has certified in writing as being terminally ill
 10 (within the meaning of section 1861(dd)(3)(A)) and
 11 for whom the Secretary has made a determination
 12 that the requirements of subsection (b) (relating to
 13 24 months of entitlement to benefits or other status)
 14 would otherwise work an undue hardship on such in-
 15 dividual, as determined on the basis of criteria es-
 16 tablished by the Secretary”.

17 (b) EFFECTIVE DATE.—The amendments made by
 18 this Act shall apply to benefits for months beginning after
 19 90 days after the date of the enactment of this Act.

