

111TH CONGRESS  
1ST SESSION

# H. R. 1289

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.

IN THE HOUSE OF REPRESENTATIVES

MARCH 3, 2009

Mr. WILSON of Ohio introduced the following bill; which was referred to the Committee on Ways and Means

# 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 Fair-  
5 ness for the Terminally Ill Act of 2009”.

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

8       (a) IN GENERAL.—Section 223(a)(1) of the Social  
9 Security Act (42 U.S.C. 423(a)(1)) is amended by adding  
10 at the end the following new sentence: “In the case of any

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

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

