

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.

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