

HOUSE JOINT RESOLUTION NO. HJ0002

Social security benefits-terminal illness situations.

Sponsored by: Representative(s) Burkhardt and Senator(s)
Hicks

A Bill

for

1 A JOINT RESOLUTION requesting Congress to change the
2 eligibility requirements for Social Security Disability
3 Insurance and Supplemental Security Income benefits for
4 individuals with a terminal illness.

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6 WHEREAS, workers in our country pay into the Social
7 Security system. While primarily a program to help older
8 Americans in retirement, Social Security is also a
9 fundamental element of our country's safety net through
10 Social Security Disability Insurance. The federal
11 government also provides additional help through the
12 Supplementary Security Income program, which is paid for by
13 general revenues and is not tied to work history. These
14 programs are both administered by the Social Security
15 Administration; and

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1 WHEREAS, Social Security Disability Insurance is aimed at
2 helping people who are unable to work due to severe,
3 permanent disabilities. Eligibility for this program
4 includes a five (5) month waiting period. There is no
5 waiting period to receive Supplementary Security Income
6 benefits, which provide additional support to low-income
7 people who are aged, blind or disabled; and

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9 WHEREAS, people suffering from terminal illnesses who seek
10 benefits through Social Security Disability Insurance
11 currently are subject to the five (5) month waiting period.
12 This delay applies even when the person is not expected to
13 live that long. Since a person with such a diagnosis may
14 not immediately qualify under the Social Security Income
15 program, this presents a serious problem for these
16 individuals. To compound the suffering of these individuals
17 by delaying assistance is wrong. This problem could be
18 solved through the creation of a waiver of the five (5)
19 month delay for individuals diagnosed with a terminal
20 illness or through changes to the Social Security Income
21 program or both; and

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23 WHEREAS, Social Security Disability Insurance and
24 Supplementary Security Income benefits are in place to

1 provide a modicum of assistance to those facing severe
2 hardships. Clearly, anyone diagnosed with a terminal
3 illness that includes a prognosis of only a few months to
4 live should be able to obtain this assistance. With proper
5 procedures for review and a requirement for a concurring
6 diagnosis, such a change to the eligibility requirements
7 should be implemented.

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9 *NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE*
10 *LEGISLATURE OF THE STATE OF WYOMING:*

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12 **Section 1.** Congress should change the eligibility
13 requirements for Social Security Disability Insurance and
14 Supplementary Security Income benefits for individuals who
15 have been diagnosed by a physician as terminally ill when
16 the diagnosis has been confirmed by another qualified
17 physician and includes an estimation that the illness will
18 result in death within six (6) months of the diagnosis.

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1 **Section 2.** That the Secretary of State of Wyoming
2 transmit copies of this resolution to the President of the
3 United States, to the President of the Senate and the
4 Speaker of the House of Representatives of the United
5 States Congress and to the Wyoming Congressional
6 Delegation.

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8 (END)