

By: Rodriguez

H.C.R. No. 35

CONCURRENT RESOLUTION

1 WHEREAS, Created in 1965, the federal Medicare program
2 provides health insurance coverage for more than 40 million
3 Americans; although most of those enrolled in Medicare are senior
4 citizens, approximately six million enrollees under the age of 65
5 have qualified because of permanent and severe disability, such as
6 spinal cord injuries, multiple sclerosis, cardiovascular disease,
7 cancer, or other illness or disorder; and

8 WHEREAS, Despite the physical and financial hardships
9 wrought by these conditions and the fact that Social Security
10 Disability Insurance (SSDI) is designed for individuals with a work
11 history who paid into the social security system before the onset of
12 their disability, federal law mandates a 24-month waiting period
13 from the time a disabled individual first receives SSDI benefits to
14 the time Medicare coverage begins; a prerequisite to Medicare, the
15 SSDI program itself delays benefits for five months while the
16 person's disability is determined--effectively creating a 29-month
17 waiting period for Medicare; and

18 WHEREAS, This restriction affects a significant number of
19 Americans in need; as of January 2002, there were approximately 1.2
20 million disabled individuals who qualified for SSDI and were
21 awaiting Medicare coverage, many of whom were unemployed because of
22 their disability; consequently, under these conditions, by the time
23 Medicare began, an estimated 77 percent of those individuals would
24 be poor or nearly poor, 45 percent would have incomes below the

1 federal poverty line, and close to 40 percent would be enrolled in
2 state Medicaid programs; and

3 WHEREAS, Furthermore, it has been estimated that as many as
4 one-third of the individuals currently awaiting coverage may be
5 uninsured and likely to incur significant medical care expenses
6 during the two-year waiting period, often with devastating
7 consequences; studies indicate that the uninsured are likely to
8 delay or forgo needed care, leading to worsening health and even
9 premature death, and the American Medical Association has
10 determined that death rates among SSDI recipients are highest in
11 the first 24 months of enrollment; and

12 WHEREAS, Eliminating the 24-month waiting period not only
13 would prevent worsening illness and disability for SSDI
14 beneficiaries, thereby reducing more costly future medical needs
15 and potential long-term reliance on public health care programs,
16 but could also save the Medicaid program as much as \$4.3 billion at
17 2002 program levels, including nearly \$1.8 billion in savings to
18 states and \$2.5 billion in federal savings that would help offset a
19 substantial portion of the accompanying increase in Medicare
20 expenditures; and

21 WHEREAS, Recognizing the consequences of the waiting period
22 to those suffering from amyotrophic lateral sclerosis (ALS), or Lou
23 Gehrig's disease, the 106th United States Congress passed H.R. 5661
24 in 2000 and eliminated the requirement for enrollees diagnosed with
25 the disease; in passing H.R. 5661, the congress acknowledged the
26 enormous difficulties faced by those diagnosed with severe
27 disabilities and established precedent for the exception to be

1 extended to all the disabled on the Medicare waiting list; now,
2 therefore, be it

3 RESOLVED, That the 80th Legislature of the State of Texas
4 hereby respectfully urge the United States Congress to enact
5 legislation to eliminate the 24-month Medicare waiting period for
6 participants in Social Security Disability Insurance; and, be it
7 further

8 RESOLVED, That the Texas secretary of state forward official
9 copies of this resolution to the president of the United States, the
10 speaker of the house of representatives and the president of the
11 senate of the United States Congress, and all the members of the
12 Texas delegation to the congress with the request that this
13 resolution be officially entered in the Congressional Record as a
14 memorial to the Congress of the United States of America.