

1-1 By: Rodriguez, et al. (Senate Sponsor - Ellis) H.C.R. No. 35  
1-2 (In the Senate - Received from the House May 14, 2007;  
1-3 May 15, 2007, read first time and referred to Committee on State  
1-4 Affairs; May 18, 2007, reported favorably by the following vote:  
1-5 Yeas 6, Nays 0; May 18, 2007, sent to printer.)

1-6 HOUSE CONCURRENT RESOLUTION

1-7 WHEREAS, Created in 1965, the federal Medicare program  
1-8 provides health insurance coverage for more than 40 million  
1-9 Americans; although most of those enrolled in Medicare are senior  
1-10 citizens, approximately six million enrollees under the age of 65  
1-11 have qualified because of permanent and severe disability, such as  
1-12 spinal cord injuries, multiple sclerosis, cardiovascular disease,  
1-13 cancer, or other illness or disorder; and

1-14 WHEREAS, Despite the physical and financial hardships  
1-15 wrought by these conditions and the fact that Social Security  
1-16 Disability Insurance (SSDI) is designed for individuals with a work  
1-17 history who paid into the social security system before the onset of  
1-18 their disability, federal law mandates a 24-month waiting period  
1-19 from the time a disabled individual first receives SSDI benefits to  
1-20 the time Medicare coverage begins; a prerequisite to Medicare, the  
1-21 SSDI program itself delays benefits for five months while the  
1-22 person's disability is determined--effectively creating a 29-month  
1-23 waiting period for Medicare; and

1-24 WHEREAS, This restriction affects a significant number of  
1-25 Americans in need; as of January 2002, there were approximately 1.2  
1-26 million disabled individuals who qualified for SSDI and were  
1-27 awaiting Medicare coverage, many of whom were unemployed because of  
1-28 their disability; consequently, under these conditions, by the time  
1-29 Medicare began, an estimated 77 percent of those individuals would  
1-30 be poor or nearly poor, 45 percent would have incomes below the  
1-31 federal poverty line, and close to 40 percent would be enrolled in  
1-32 state Medicaid programs; and

1-33 WHEREAS, Furthermore, it has been estimated that as many as  
1-34 one-third of the individuals currently awaiting coverage may be  
1-35 uninsured and likely to incur significant medical care expenses  
1-36 during the two-year waiting period, often with devastating  
1-37 consequences; studies indicate that the uninsured are likely to  
1-38 delay or forgo needed care, leading to worsening health and even  
1-39 premature death, and the American Medical Association has  
1-40 determined that death rates among SSDI recipients are highest in  
1-41 the first 24 months of enrollment; and

1-42 WHEREAS, Eliminating the 24-month waiting period not only  
1-43 would prevent worsening illness and disability for SSDI  
1-44 beneficiaries, thereby reducing more costly future medical needs  
1-45 and potential long-term reliance on public health care programs,  
1-46 but could also save the Medicaid program as much as \$4.3 billion at  
1-47 2002 program levels, including nearly \$1.8 billion in savings to  
1-48 states and \$2.5 billion in federal savings that would help offset a  
1-49 substantial portion of the accompanying increase in Medicare  
1-50 expenditures; and

1-51 WHEREAS, Recognizing the consequences of the waiting period  
1-52 to those suffering from amyotrophic lateral sclerosis (ALS), or Lou  
1-53 Gehrig's disease, the 106th United States Congress passed H.R. 5661  
1-54 in 2000 and eliminated the requirement for enrollees diagnosed with  
1-55 the disease; in passing H.R. 5661, the congress acknowledged the  
1-56 enormous difficulties faced by those diagnosed with severe  
1-57 disabilities and established precedent for the exception to be  
1-58 extended to all the disabled on the Medicare waiting list; now,  
1-59 therefore, be it

1-60 RESOLVED, That the 80th Legislature of the State of Texas  
1-61 hereby respectfully urge the United States Congress to enact  
1-62 legislation to eliminate the 24-month Medicare waiting period for  
1-63 participants in Social Security Disability Insurance; and, be it  
1-64 further

2-1           RESOLVED, That the Texas secretary of state forward official  
2-2 copies of this resolution to the president of the United States, the  
2-3 speaker of the house of representatives and the president of the  
2-4 senate of the United States Congress, and all the members of the  
2-5 Texas delegation to the congress with the request that this  
2-6 resolution be officially entered in the Congressional Record as a  
2-7 memorial to the Congress of the United States of America.

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