

HOUSE 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.

Rodriguez  
Rose  
Eissler  
Davis of Harris  
Isett  
Leibowitz  
Olivo  
Pierson  
Truitt

Hardcastle  
Deshotel  
Coleman  
Gonzales  
King of Taylor  
Naishtat  
Pena  
Raymond

David Dewhurst

President of the Senate

Tom Craddick

Speaker of the House

I certify that H.C.R. No. 35 was adopted by the House on May 11, 2007, by the following vote: Yeas 127, Nays 0, 2 present, not voting.

Robert Haney

Chief Clerk of the House

I certify that H.C.R. No. 35 was adopted by the Senate on May 22, 2007, by a viva-voce vote.

Letsy Spaw

Secretary of the Senate

APPROVED:

15 Jun 07

Date

Rick Perry

Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
7 PM O'CLOCK

JUN 15 2007

Roger Williams

Secretary of State