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SENATE JOINT MEMORIAL 8013

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State of Washington

61st Legislature

2009 Regular Session

By Senators Keiser, Parlette, Pflug, Franklin, Marr, Murray, Shin, Haugen, Kline, and Kohl-Welles

Read first time 02/13/09. Referred to Committee on Health & Long-Term Care.

1 TO THE HONORABLE BARACK OBAMA, PRESIDENT OF THE UNITED STATES, AND  
2 TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF  
3 REPRESENTATIVES, AND TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE  
4 UNITED STATES, IN CONGRESS ASSEMBLED:

5 We, your Memorialists, the Senate and House of Representatives of  
6 the State of Washington, in legislative session assembled, respectfully  
7 represent and petition as follows:

8 WHEREAS, Created in 1965, the federal Medicare program provides  
9 health insurance coverage for more than 40 million Americans; although  
10 most of those enrolled are senior citizens, approximately 6 million  
11 enrollees under the age of 65 have qualified because of permanent and  
12 severe disabilities, such as spinal cord injuries, multiple sclerosis,  
13 cardiovascular disease, cancer, or other illness or disorder; and

14 WHEREAS, Despite the physical and financial hardships wrought by  
15 these conditions and the fact that Social Security Disability Insurance  
16 (SSDI) is designed for individuals with a work history who paid into  
17 the social security system before the onset of their disability,  
18 federal law mandates a 24 month waiting period from the time a disabled  
19 individual first receives SSDI benefits to the time Medicare coverage

1 begins; a prerequisite to Medicare, the SSDI program itself delays  
2 benefits for 5 months while the person's disability is determined,  
3 effectively creating a 29 month waiting period for Medicare; and

4 WHEREAS, This restriction affects a significant number of Americans  
5 in need; as of January 2002, there were approximately 1.2 million  
6 disabled persons who qualified for SSDI and were awaiting Medicare  
7 coverage, many of whom were unemployed because of their disability;  
8 consequently, under these conditions, by the time Medicare began, an  
9 estimated 77 percent of those individuals would be poor or nearly poor,  
10 45 percent would have incomes below the federal poverty line, and close  
11 to 40 percent would be enrolled in state Medicaid programs; and

12 WHEREAS, Furthermore, it has been estimated that as many as one-  
13 third of the individuals currently awaiting coverage may be uninsured  
14 and likely to incur significant medical expenses during the 2 year  
15 waiting period, often with devastating consequences; studies indicate  
16 that the uninsured are likely to delay or forgo needed care, leading to  
17 worsening health and even premature death, and the American Medical  
18 Association has determined that death rates among SSDI recipients are  
19 the highest in the first 24 months of enrollment; and

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

28 WHEREAS, Recognizing the consequences of the waiting period to  
29 those suffering from amyotrophic lateral sclerosis (ALS), or Lou  
30 Gehrig's disease, the 106th Congress passed H.R. 5661 in 2000 and  
31 eliminated the requirement for enrollees diagnosed with the disease; in  
32 passing H.R. 5661, the congress acknowledged the enormous difficulties  
33 faced by those diagnosed with severe disabilities and established  
34 precedent for the exception to be extended to all the disabled on the  
35 Medicare waiting list;

36 NOW, THEREFORE, Your Memorialists respectfully urge the United  
37 States Congress to enact legislation to eliminate the 24 month Medicare

1 waiting period for participants in Social Security Disability  
2 Insurance.

3 BE IT RESOLVED, That copies of this Memorial be immediately  
4 transmitted to the Honorable Barack Obama, President of the United  
5 States, the President of the United States Senate, the Speaker of the  
6 House of Representatives, and each member of Congress from the State of  
7 Washington.

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