

112TH CONGRESS
2D SESSION

H. R. 6445

To amend title II of the Social Security Act to provide that the waiting period for disability insurance benefits shall not be applicable in the case of a recovering service member.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 20, 2012

Mr. THOMPSON of Pennsylvania (for himself, Mr. LOEBSACK, Mr. MARINO, Mr. WEST, and Mr. JONES) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend title II of the Social Security Act to provide that the waiting period for disability insurance benefits shall not be applicable in the case of a recovering service member.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Recovering Service
5 Members Disability Benefits Act”.

1 **SEC. 2. EXCEPTION FROM WAITING PERIOD FOR DIS-**
2 **ABILITY INSURANCE BENEFITS OF RECOV-**
3 **ERING SERVICE MEMBERS.**

4 (a) EXCEPTION FROM WAITING PERIOD.—The first
5 sentence of section 223(a)(1) of the Social Security Act
6 (42 U.S.C. 423(a)(1)) is amended, in clause (ii) thereof
7 in the matter following subparagraph (E)—

8 (1) by inserting “(I)” after “but only”; and
9 (2) by inserting “or (II) if such individual is a
10 recovering service member,” after “the first month
11 in which he is under such disability,”.

12 (b) DEFINITION OF RECOVERING SERVICE MEM-
13 BER.—Section 223(a) of the Social Security Act (42
14 U.S.C. 423(a)) is further amended by adding at the end
15 the following:

16 “(3) For purposes of this subsection—
17 “(A) the term ‘recovering service member’
18 means a member of the Armed Forces, includ-
19 ing a member of the National Guard or a Re-
20 serve component, who is undergoing medical
21 treatment, recuperation, or therapy while recov-
22 ering from a serious bodily injury or physical
23 illness related to the member’s military service;
24 and

25 “(B) the term ‘serious bodily injury or
26 physical illness’ means in the case of a member

1 of the Armed Forces, a bodily injury or physical
2 illness incurred by the member in line of duty
3 on active duty in the Armed Forces while in a
4 combat zone designated under section 112(e)(2)
5 of the Internal Revenue Code of 1986, that may
6 render the member medically unfit to perform
7 the duties of the member's office, grade, rank,
8 or rating.”.

9 **SEC. 3. EFFECTIVE DATE.**

10 The amendments made by this Act shall apply with
11 respect to applications for benefits filed on or after the
12 date that is 90 days after the date of enactment of this
13 Act.

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