

Waiver of all waiting periods for initiation of Medicare Coverage under Social Security Disability Provisions for Metastatic Breast Cancer

Legislation to waive all waiting periods for Medicare and Social Security Disability Insurance (SSDI) eligibility on the basis of a disability for all individuals with metastatic breast cancer and provide Medicare health care coverage. To earn Social Security disability benefits (SSDI), the individual must have been employed within the last ten years, and currently be unable to work due to a disability. For Social Security Insurance (SSI), there is no prior employment history required, but applicant must have very limited financial resources.

Background facts:

1. Metastatic breast cancer is cancer that has spread from the breast to the bones, lungs, or other distant parts of the body. 90% of breast cancer deaths are as a result of metastatic disease.
2. There are treatments, some of which have extended survival for women and men with metastatic breast cancer. There is no cure.
3. In 2018 about 266,120 women will be diagnosed with invasive breast cancer, as will 2,550 men, in the United States. About 63,960 new cases of carcinoma in situ (CIS) will be diagnosed.
4. In 2018 about 40,920 women and 480 men will die from breast cancer.
5. There are approximately 150,000 women in the United States today, living with metastatic breast cancer (MBC). While statistics are not collected for metastatic recurrences which comprise the larger portion of MBC cases, it is estimated that 20 to 30% of women with breast cancer recur with metastatic disease. 6-10% are diagnosed initially with metastatic breast cancer.
6. The average age of breast cancer diagnosis is 62; the average age of death from breast cancer is 68.

7. The average life expectancy of an individual with metastatic breast cancer is 3 years.
8. In 2001, Congress passed legislation to add Amyotrophic Lateral Sclerosis (ALS) as a qualifying condition for automatic Medicare coverage. The 24-month waiting period was eliminated for ALS patients receiving SSDI, so there is a federal precedent under Medicare.

Purposes of legislation:

To assist individuals suffering from metastatic breast cancer by waiving the 24 month waiting period for Medicare eligibility and the 5 month waiting period for SSDI benefits on the basis of disability for MBC patients.

- I. **Elimination of waiting period for social security disability insurance benefits for disabled individuals with metastatic breast cancer (MBC)**
- II. **Waiver of 24 month waiting period for Medicare coverage of individuals disabled with metastatic breast cancer (MBC)**