

103^D CONGRESS
2^D SESSION

H. R. 3935

To amend title II of the Social Security Act to establish a Continuing Disability Review Account in the Federal Disability Insurance Trust Fund which shall be available solely for expenditures necessary to carry out continuing disability reviews.

IN THE HOUSE OF REPRESENTATIVES

MARCH 2, 1994

Mr. JACOBS (for himself and Mr. BUNNING) 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 establish a Continuing Disability Review Account in the Federal Disability Insurance Trust Fund which shall be available solely for expenditures necessary to carry out continuing disability reviews.

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 “Social Security Con-
5 tinuing Disability Review Account Act of 1994”.

1 **SEC. 2. CONTINUING DISABILITY REVIEW ACCOUNT.**

2 (a) IN GENERAL.—Section 201 of the Social Security
3 Act (42 U.S.C. 401) is amended by adding at the end the
4 following new subsection:

5 “(n)(1) There is hereby created in the Federal Dis-
6 ability Insurance Trust Fund a Continuing Disability Re-
7 view Account (hereinafter in this subsection referred to as
8 the ‘Account’). The Account shall consist of such amounts
9 as may be transferred to it under this subsection. The bal-
10 ance in the Account shall be available solely for expendi-
11 tures certified under paragraph (3).

12 “(2)(A) Not later than September 1 of each calendar
13 year, the Secretary shall—

14 “(i) estimate the present value of savings to the
15 Federal Disability Insurance Trust Fund which will
16 accrue for all years as a result of the cessation of
17 benefit payments during the fiscal year ending on
18 September 30 of the prior calendar year based on
19 continuing disability reviews carried out pursuant to
20 the requirements of section 221(i) during or prior to
21 such fiscal year, and

22 “(ii) certify the amount of such estimate to the
23 Managing Trustee of the Trust Fund.

24 “(B) Upon receipt of certification by the Secretary
25 under subparagraph (A), the Managing Trustee shall

1 transfer to the Account from amounts otherwise in the
2 Trust Fund an amount equal to the lesser of—

3 “(i) 50 percent of the estimated savings so cer-
4 tified, or

5 “(ii) the difference (not less than \$0) derived by
6 subtracting the balance in the Account as of the end
7 of the prior calendar year referred to in subpara-
8 graph (A)(i) from the estimated savings so certified.

9 “(3)(A) Not later than September 15 of each cal-
10 endar year, the Secretary shall—

11 “(i) estimate the total amount of expenditures
12 which will be necessary to carry out continuing dis-
13 ability reviews required under section 221(i) during
14 the fiscal year beginning on October 1 of such cal-
15 endar year, and

16 “(ii) certify such estimated amount to the Man-
17 aging Trustee of the Trust Fund.

18 “(B) The expenditures referred to in subparagraph
19 (A)(i) shall include, but not be limited to, the cost of staff-
20 ing, training, purchase of medical and other evidence, and
21 processing related to appeals (including appeal hearings)
22 and to overpayments.

23 “(C) To the extent of available funds in the Account,
24 and prior to any action thereon by the General Accounting
25 Office, the Managing Trustee shall, upon the commence-

1 ment of each fiscal year, make available to the Secretary
2 from the Account an amount equal the total of estimated
3 expenditures for such fiscal year described in subpara-
4 graph (A)(i) as certified under subparagraph (A)(ii).

5 “(D) The Secretary shall use funds made available
6 pursuant to this paragraph solely for the purpose of carry-
7 ing out continuing disability reviews required under sec-
8 tion 221(i).”.

9 (b) CONFORMING AMENDMENT.—Section
10 201(g)(1)(A) of such Act (42 U.S.C. 401(g)(1)(A)) is
11 amended in the last sentence by inserting “(other than
12 expenditures from available funds in the Continuing Dis-
13 ability Review Account in the Federal Disability Insurance
14 Trust Fund made pursuant to subsection (n))” after “is
15 responsible”.

16 **SEC. 3. ANNUAL REPORT.**

17 Section 221(i)(3) of the Social Security Act (42
18 U.S.C. 421(i)(3)) is amended—

19 (1) by striking “and the number” and inserting
20 “the number”;

21 (2) by striking the period at the end and insert-
22 ing a comma; and

23 (3) by adding at the end the following: “and a
24 final accounting of amounts transferred to the Con-
25 tinuing Disability Review Account in the Federal

1 Disability Insurance Trust Fund during the year,
2 the amount made available from such Account dur-
3 ing such year for continuing disability reviews, and
4 expenditures for continuing disability reviews made
5 during the year, including a comparison of such
6 number of reviews with the estimated number of re-
7 views upon which the estimate of such expenditures
8 was made under section 201(n)(3).”.

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