

**TITLE 3: HUMAN RESOURCES**  
**DIVISION 3: SOCIAL SECURITY ACT**

**§ 3304. Disability Insurance Benefits: Eligibility.**

Every person who:

- (a) Is fully and currently insured,
- (b) Has not attained retirement age,
- (c) Has filed application for disability insurance benefits, and
- (d) Is under a disability shall be entitled to a disability insurance benefit

(1) For each month beginning with the first month after his waiting period in which he becomes so entitled to such insurance benefits or

(2) For each month beginning with the first month during all of which the person is under a disability and in which he becomes so entitled to such insurance benefits, but only if he was entitled to disability insurance benefits which terminated, or had a period of disability which ceased within the 60-month period preceding the first month in which he is under such disability, and ending with the month preceding whichever of the following months is the earliest: the month in which he dies, the month in which he attains retirement age, or the third month following the month in which his disability ceases. No payment under this section may be made to an individual who would not meet the definition of disability in 3 CMC § 3003(i)(1) except for subsection (C) thereof for any month in which he engages in substantial gainful activity. In the case of a deceased individual, the requirement of subsection (c) of this section may be satisfied by an application for benefits filed with respect to such individual within three months after the month in which he died.

**Source:** PL 1-27, § 13.

**Commission Comment:** The Commission inserted a colon in place of a dash in the heading of this section to conform the heading to the style used elsewhere in the code. According to PL 3-90, § 7(a) (reprinted in the preface material, prior to title 1), “section headings . . . do not in any manner affect the scope, meaning, or intent of the provisions of this Code.”