

2021 Washington State Legislature Bills to Watch

(Courtesy of American Association of University Women)

Extending Apple Health to pregnant persons through 12 months postpartum (SB 5068)

This policy passed last session with overwhelming support but was unfortunately vetoed by the governor due to the cost of the program, the emergence of the COVID crisis and the looming budgetary shortfall. Senator Randall has re-introduced the bill in 2021, with strong bi-partisan support. The bill will be heard in Senate Health on January 20th. [SB 5068](#) would extend postpartum Apple Health coverage from 60 days to 12 months, with the same eligibility standards as the current program (up to 198% FPL). It would also direct HCA to pursue a waiver to draw down federal matching funds. The Maternal Mortality Review Panel's [findings](#) that 30% of all pregnancy-related maternal deaths and the majority of suicides and accidental overdoses occur 43 to 365 days after delivery. There are significant racial [disparities](#) in maternal mortality rates, as well. American Indian and Alaska Native women are six to seven times as likely to die from a pregnancy related cause as white women. At the federal level, there was bipartisan legislation that would have provided federal match to states that chose to extend postpartum Medicaid to 12 months. Unfortunately, action wasn't taken on the bill before Congress adjourned. It is expected that it will be reintroduced with the beginning of the 117th session of Congress.

Protecting Pregnant Patient Act (SB 5140)

[SB 5140](#) sponsored by Senator Patty Kuderer is scheduled for hearing on January 20th in Senate Health. The bill will ensure that health care providers can provide pregnant patients who are experiencing complications of pregnancy, miscarriage, or an ectopic pregnancy, the necessary care they need and that their health and lives are not placed at risk. The policy will ensure that providers are able to provide the appropriate standard of care treatment for their patients, without risk of retaliation by their employer. We have been attempting to get this policy passed for many years and are hopeful that this will be the year that we can get it across the finish line. ACOG will be testifying in support of the legislation.

Abortion Coverage in Student Health Plans (HB 1009)

House Bill 1009, sponsored by Rep. My-Linh Thai, will require abortion coverage in student health plans deemed by the Washington State Insurance Commissioner to have a short-term, limited purpose or duration while the person is enrolled as a regular full-time undergraduate or graduate student at an accredited higher education institution. This bill aims to extend the Reproductive Parity Act to student health plans. Under the RPA, health insurance plans in Washington providing coverage for maternity care must provide equivalent coverage for abortion services. This bill was [heard in the House Committee on Health Care and Wellness on January 13th](#) and was passed out of committee quickly on January 14th.

Improving Access to Paid Family and Medical Leave (HB 1073 & SB 5097)

In 2017, Washington took a historic step and passed the Paid Family and Medical Leave Act. Passed through a Democrat-controlled House and a Republican-controlled Senate, the legislation was a historic bipartisan bill that created a model for paid leave that was quickly followed by Massachusetts and Oregon. Paid leave benefits went into effect in January 2020 and over the course of the year nearly 100,000 workers have benefited from the program. However, while Washington's law was a best-in-nation program when it passed in 2017, that is no longer the case. But for too many working families this essential benefit has been inaccessible because the law doesn't go far enough to protect people's jobs, include part-time workers, or cover chosen family. [HB 1073](#) and [SB 5097](#) aim to address these issues. The bills vary slightly, but generally they would:

- **Expand family definition to also include chosen family.** Families all look different, and our society benefits when loved ones provide care for someone who is critically ill. States like New Jersey, Oregon, Connecticut, and Colorado all have this more inclusive family definition.
- **Expand job protection for workers who have been on the job for 90 days.** Every other state program has much more extensive job protection requirements, and all but Connecticut also require expanded continuation of health insurance. A pandemic is no time to lose health insurance or risk your job!
- **Reduce the hours worked requirement down to \$1,000 in earnings or about 73 hours:** With 2020 reduced hours and layoffs, many won't meet the 820 hour qualifying threshold in 2021. Washington imposes a higher threshold than 8 of the 9 other state programs. Oregon requires \$1,000 in earnings; California, with the oldest program, requires just \$300.

HB 1073, sponsored by newly-elected Representative Liz Berry from Seattle's 36th legislative district. The bill was heard in the House Labor & Workplace Standards Committee on Friday, January 15th.

AAUW's very own Karen Anderson testified in support as well as parents, workers, community advocates, and a business owner. The bill is scheduled for executive session next week. The Senate bill is being heard on Monday in the Senate Committee on Labor, Commerce & Tribal Affairs. This bill is slightly different in that it does not include the reduction in the hours worked requirement. This is because the hours worked requirement reduction is in another Senate bill, [Senate Bill 5115](#), sponsored by Senator Keiser to provide emergency COVID-19 worker protections.

Fair Starts for Kids Act (SB 5237/HB 1213)

The Fair Start for Kids Act, a continuation of the early learning [omnibus bill](#) (HB 2661) introduced in the House last year, will drop in the House and Senate this week. [SB 5237](#) will be heard in the Senate Early Learning and K-12 Committee on January 22nd. HB [1213](#), we anticipate will be heard in the House Children, Youth, and Families Committee late next week. The legislation addresses a range of investments related to early learning, including:

- Increased subsidy rates for providers, providing access to health care for providers
- Lower co-pays for Working Connections Child Care families (the state's child care subsidy program)
- Increased eligibility for Working Connections Child Care to families at or below 85% of state median income
- Expanded Early Childhood Education and Assistance Program (ECEAP) eligibility
- Capital investments in child care facilities
- Expansion of a statewide mental health consultation program

Working Families Tax Credit (Bill number TBD)

Representative Thai and Senator Nguyen will be introducing an updated version of the Working Families Tax Credit on Thursday. The updated policy would provide a \$500 annual cash payment with an additional \$150 payment for each child in the home up to three children. The tax credit would be available to low- and moderate-income families who qualify for the EITC, including undocumented families who file with an Individual Tax Identification Number (ITIN). The 2021 version of the bill would reach 500,000 Washingtonians and 25% of all Washington children. The tax credit is modeled off state-based Earned Income Tax Credits, which are some of the [most-studied and best-proven anti-poverty policies](#). Support for the WFTC was included in Governor Inslee's 2021-23 budget rollout as well as called out in his press release on the first day of legislative session. Representative Drew Stokesbary has also publicly voiced support [in the Seattle Times](#) as well.

Capital gains tax: Senate Bill 5096. Governor Inslee's request-legislation on a capital gains tax was heard in Senate Ways & Means on Thursday. [SB 5096](#) proposes a 9% tax rate starting January 1, 2022. Supporters organized by Balance Our Tax Code and the Invest in Washington Coalition testified in support of the policy, which is projected to raise over \$1 billion in the coming budget cycle and more than \$2 billion in future cycles. Senate Democrats are expected to introduce their own version of a capital gains tax policy later in session.