



2019 Legislative Session

Background

This legislation helps all Washingtonians have access to critical reproductive health care services. The bill is necessary because currently, certain immigrants lack access to many of Washington State's health coverage programs. This means that many immigrants go without critical reproductive health care or have limited access to this care. At the same time, too often the health care needs of transgender and gender non-conforming Washingtonians are left out of state law. Although some improvements have been made, there are still many barriers transgender and gender non-conforming individuals face when accessing health care services. This legislation attempts to remedy the disparate treatment of immigrants and transgender or gender non-conforming individuals in the provision of reproductive health care.

What does this bill do?

- Creates a state funded program to cover family planning services for immigrants who would be eligible for the Take Charge federal waiver program but cannot access it because of federal restrictions. It also requires outreach and education about this program.
- Prohibits gender identity discrimination, including automatic denials based on gender identity, in all reproductive health services covered by Medicaid and private insurance plans.
- Requires private insurance plans to cover additional reproductive health services, beyond those required in the Reproductive Parity Act (RPA) and the preventive services statute.
- Corrects the RPA to explicitly include student health plans.
- Identifies the enforcement mechanisms for complaints of discrimination under these sections.

Why is this bill necessary?

While there are select resources available for children under age 19 and pregnant people, regardless of immigration status, there is currently no coverage program to ensure access to all reproductive health care services for undocumented immigrants, DACA recipients, and other immigrants under the federally mandated five-year bar. This means that these Washingtonians go without this critical care or have limited access to these services. By creating a state look-alike program, these Washingtonians will have coverage for reproductive health care services equivalent to those provided under the Take Charge federal waiver program.

Including strong anti-discrimination provisions applicable to medical assistance programs and private insurers better ensures that the reproductive health care needs of transgender and gender non-conforming Washingtonians will be met.

Cost

We are waiting for the fiscal note on this bill. However, we know that providing access to these critical services is cost-effective because people who get their basic health care needs met need fewer costly interventions for serious health needs, and there are fewer unintended pregnancies.

Religious Exemptions

Washington State's existing religious exemptions for certain entities will not change. Private insurers, employers, health care providers, and health care institutions will have the same exemptions they have long had under state law.