

## Our Progress

This legislative session, Pro-Choice Washington activists took part in coalition advocacy that resulted in exciting wins, including a budget proviso for immigrant health equity and the inclusion of non-gendered language in Washington's legal code for abortion rights. Both our first-time activists and those who have been supporting this work for decades did an incredible job engaging lawmakers. They were confident advocates for the Keep Our Care Act, health equity, and against denials of abortion and gender-affirming care in Washington.

While we saw powerful activism we also, unfortunately, saw setbacks. The legislative session ended with our priority legislation left on the table and two key victories from 2021 facing rollbacks. While this was not our hoped-for outcome, we will not be deterred. We know that the work to advance bold, progressive policy change is a marathon, not a sprint, and we are in it for the long haul. We are energized by the commitment and dedication of Pro-Choice Washington activists from around the state, and we are proud of the momentum we've built together to create reproductive health equity for all Washingtonians.

This year, Pro-Choice Washington activists from 80 percent of Washington's legislative districts mobilized across the state. Together, we demonstrated broad constituent support for our bills, which helped convince lawmakers to pay attention! Activists organized 46 virtual meetings with legislators, sent 322 emails to lawmakers, and submitted four letters to the editor in various Washington newspapers. This is an incredible achievement for a short session!

This was the second virtual legislative session in Washington state. As with last year, this format increased accessibility and enabled even more amazing Pro-Choice Washington activists to engage directly with legislators and make their voices heard. It was inspiring to see our activists share personal testimony about the necessity of progressive revenue policies, and how it is directly connected to reproductive freedom in Washington.

# 2022 Post-Session Update

## Priority Legislation

**Keep Our Care Act (SB 5688, HB 1809)** This bill would create a system of public oversight to ensure that future health entity mergers in Washington benefit patients, not just the bottom line. Mergers between health care entities — like hospitals and clinics — are prolific in Washington state. Under current regulations, these mergers have negatively impacted cost, quality, and access to necessary health care services, in turn exacerbating systemic inequities for rural and low-income communities, people of color, women, LGBTQ+ individuals, and terminally ill patients.

Unlike nearby states, such as California and Oregon, health entity mergers in Washington receive minimal oversight. Washington needs a comprehensive system of public oversight to safeguard access to existing services and ensure Washingtonians can access quality care where they live, regardless of their identity, zip code, or medical needs.

### STALLED

Last year, our coalition and activists introduced the Keep Our Care Act to the legislature. This act laid the groundwork on the importance of transparency, oversight, and public input into hospital system mergers and acquisitions in Washington. At that time, the Keep Our Care Act did not receive a hearing in its house of origin.

While the bill did not advance past the policy deadline this year, we are proud of the positive headway we made:

- The Keep Our Care Act had its first hearing in the Senate Law & Justice Committee, where incredible patients, providers, and activists voiced their support for this bill.
- Lawmakers were impressed by the incredible show of public support for this bill, which is representative of the power of our movement, coalition, and dedicated activists. In all, 756 people signed in to support our bill, compared to only 21 sign-ins from the opposition.

We are deeply grateful to our activists who showed up to advocate for the Keep Our Care Act. Their impressive engagement resulted in increased public and lawmaker attention on this issue and strengthened our work leading into the 2023 legislative session.

**Progressive Revenue (HB 1406, SB 5426, HB 2009, HB 1465)** Washington has one of the least equitable tax codes in the country where low-income households are taxed at a much higher rate than the wealthiest. Not only is our upside-down tax code deeply unfair, but it directly limits the reach and effectiveness of critical community services, including affordable reproductive healthcare, other healthcare programs, good schools, and quality public transportation. It is critical that we reduce the tax burden on low-income families and increase investments in critical community programs that allow all residents to thrive.

Last year, the Washington State Legislature made important progress towards fixing our regressive tax code with the passing of a Capital Gains Excise Tax and a Working Families Tax Credit. However, more work remains to ensure the wealthiest Washingtonians pay their fair share towards essential social and health programs across the state. Pro-Choice Washington supports multiple approaches to achieving progressive revenue, including a **Tax on Excessive Wealth (HB 1406 and SB 5426)**, **Guaranteed Basic Income (HB 2009)**, and an **Estate Tax (HB 1465)**. Only with bold, progressive revenue policies will Washington be an equitable place to live for all families. [Learn more about Balance Our Tax Code here.](#)

## STALLED

While our progressive revenue bills did not move out of committee by the policy deadline, we are energized that both the wealth tax and a bill on universal basic income received hearings. This notable progress is vital for the dialogue around rebalancing Washington's tax code to fund essential social programs, like family planning and abortion care.

- **Tax on Excessive Wealth (SB 5426)** received a hearing in the Senate Ways & Means Committee on February 1. Powerful testimonies were given by Washingtonians from a wide range of income backgrounds across the state. And broad public support was demonstrated by the more than 2,900 people who signed in to support the bill. Fewer than 300 people signed in for the opposition.
- **Guaranteed Basic Income (HB 2009)** received a hearing on February 1 in the House Housing & Human Services Committee. This bill would institute the [Evergreen Basic Income Trust](#), a program that provides unrestricted cash payments to recipients who meet certain criteria.
  - As a follow up, Pro-Choice Washington joined 35 organizations across the state in requesting that the legislature dedicate \$10 million to a Guaranteed Basic Income (GBI) pilot study this session. While this was not fulfilled, the inclusion of a GBI bill this session indicates that the legislature and the public are open to more wide-ranging social support structures than in previous years.

In 2021, lawmakers passed the Capital Gains Tax because advocates, including Pro-Choice Washington members, called on them to invest in our communities and balance our state's tax code. In a disappointing setback, a Douglas County Superior Court judge struck down the Capital Gains Tax, putting at risk much needed local funding for childcare and public schools. This tax is likely to see a long series of court battles.

Pro-Choice Washington believes in the Capital Gains Tax because it is an important source of revenue for investing in equitable access to high quality childcare, abortion care reimbursements, family planning programs, and public schools, which are fundamental to reproductive justice, defined by the incredible activists at SisterSong. Pro-Choice Washington will not let this ruling stand in the way of continued work to fix our tax code and to build an economy where all Washingtonians can thrive.



# Support Legislation

## Health Equity for Immigrants (Budget Request)

This budget request would create parity in publicly funded health coverage programs for all Washington residents regardless of immigration status. An estimated 46 percent of undocumented Washingtonians are uninsured, compared to seven percent of the overall population. The COVID-19 pandemic illuminated this huge gap in healthcare coverage and services for immigrant communities. All Washingtonians must have access to quality and affordable healthcare, including abortion care and broader reproductive healthcare. The 2021 Washington operating budget directed the Health Benefit Exchange to pursue a state health coverage program by 2024 for people who are ineligible for federal assistance. The Health Equity for Immigrants Campaign urged the legislature to fund the next steps in this effort so the program can be fully launched by 2024. [Learn more about the Health Equity for Immigrants Campaign here.](#)

## VICTORY

Thanks to the advocacy of immigrants' rights groups, Washington state has committed to providing a pathway to affordable health coverage for everyone by 2024. The Washington State Legislature allocated more than \$12 million in this year's budget to launch health coverage programs for all Washingtonians, regardless of their immigration status, starting in 2024. Though there is still work in the years ahead to fully fund these health coverage programs, immigrants in Washington are one step closer to accessing healthcare.

## Mandated Coverage of Infertility Treatments (HB 1730, SB 5647)

This bill would mandate insurance coverage for infertility treatments for all Washingtonians to ensure those struggling to become or to stay pregnant have access to health services that may help them start a family. The single largest barrier to in vitro fertilization (IVF) is out-of-pocket cost, which disproportionately affects access to infertility care for Black, Indigenous, Latinx, and other people of color. For example, Black women are 80 percent more likely to report infertility than white women, yet Black women's access to infertility services is substantially lower than for white women. Additionally, some LGBTQ+ patients require medical assistance to have children, but currently face barriers due to discrimination and medically unnecessary requirements from Washington insurance carriers.

Increasing access to infertility coverage will improve the health outcomes of pregnant people and families and will reduce disparities in access to these services.

## STALLED

The House and Senate bills did not receive a hearing this session because the Department of Health recommended a deeper fiscal analysis to better understand how this bill may impact premiums. We will be following the analysis.

**Midwife Scope of Practice (SB 5765)** This bill will increase the midwifery scope of practice to allow midwives to write limited prescriptions for contraception, medications to treat UTIs and STIs, and therapies for common conditions in pregnancy and postpartum. The increased scope will improve access to care, continuity of care, and health outcomes for pregnant patients in Washington, particularly for rural and underserved communities.

## VICTORY

This bill passed out of the House and Senate and is on the governor's desk waiting to be signed Thursday, March 17.

**Local Options for Ranked-Choice Voting (HB 1156, SB 5584)** This bill would allow local jurisdictions to use ranked-choice voting – an important step towards building a more equitable and representative democracy. Ranked-choice voting is a more equitable method of voting where voters may rank multiple candidates in order of preference. This voting method better captures the will of voters by eliminating the impact of vote splitting. It also has been shown to encourage more diverse candidates to run for office, increase voter participation, and reduce the cost of local elections for municipalities. [Learn more about Washington for Equitable Representation coalition here.](#)

## STALLED

HB 1156 did not advance out of the House before the deadline. While this bill did not pass this session, the Washington for Equitable Representation Coalition did successfully pass SB 5583 to End Prison Gerrymandering. This bill will require the adjustment of census data for local redistricting to reflect the last known place of residence for incarcerated persons and is on the governor's desk awaiting his signature.



We are energized by the progress made this session toward creating a more inclusive democracy in Washington, because we fully believe in the importance of a representative legislature, and we will continue the work to advance proportional ranked choice voting until it is available to all Washington voters.

**Affirm Washington Abortion Act (HB 1851)** This bill will update the language related to abortion care in Washington's legal code to be gender neutral and to reflect the range of providers who are licensed to provide abortion care. These updates will ensure that the gender identities of all people who have abortions are reflected in the statute and would confirm the already established legal ability of qualified licensed providers, such as physician assistants (PAs) and advanced registered nurse practitioners (ARNPs) to provide abortion care.

## VICTORY

House Bill 1851 passed the House and Senate along partisan lines and was signed into law on March 17.

**Police Accountability** During the 2022 legislative session, the [Washington Coalition on Police Accountability](#) sought to advance **(1) HB 1202**, which would have provided a civil right of action by victims and their families for excessive use of force; and **(2) HB 1507**, which would have established an independent prosecutor to handle criminal cases of police use of deadly force. These policies are critical to the health and safety of Washingtonians, particularly Black communities that have been subject to decades of harm and violence by police. Additionally, we worked in concert with the coalition to protect against bad bills that sought to roll back key policy wins from the 2021 session.

## STALLED – KEY VICTORIES ROLLED BACK

Unfortunately, HB 1202 and HB 1507 did not move forward this session. Even worse, we are disappointed that legislators walked away from reforms that have already shown to reduce police violence by passing a harmful bill that reduces protections against police use-of-force.

- HB 2037 allows officers to use force if someone is fleeing, without considering the many reasons someone might flee from an encounter with law enforcement. This bill passed out of the House and Senate with bipartisan support without the adoption of a proposed amendment that would have protected people who did not know they were being detained, including non-English speakers and people with disabilities.

- **SB 5919** would have expanded the use of dangerous police vehicle pursuits and lowers the use-of-force standards for officers. This bill passed out of the House with bipartisan support and died in the Senate at the final hour.

Pro-Choice Washington condemns the rollback of critical commonsense reforms informed by the experience of families impacted by police violence. Limiting police use-of-force is proven to prevent violence and save lives, particularly those of Black and Indigenous community members who are disproportionately targeted. Police violence is a reproductive justice issue because it impacts infant mortality, maternal mortality, birth outcomes, and the ability to safely raise a family. We will continue to support the leadership of the Washington Coalition for Police Accountability until everyone in our community has access to a safe and healthy community where they can thrive. [Learn more about the Coalition for Police Accountability here.](#)

## The 2021-2023 Budget

### PROGRESS BUT MISSED OPPORTUNITY

The revised 2021-23 budget approved by Washington state legislative leaders increased funding for many priorities that align with the values of Pro-Choice Washington – like affordable housing, childcare, and health equity. Thanks to strong state tax revenue and federal stimulus investments, legislators were able to bring the budget on par with pre-2008 recession levels. Legislators rejected large tax cuts that would benefit the wealthiest Washingtonians at the expense of health care and schools. While we were heartened by these essential investments, in the rushed timeline of the short session, legislators missed the opportunity to allow meaningful public participation in budget creation, a process that we believe is essential to a healthy democracy.

