

HOUSE BILL REPORT

HB 2679

As Reported By House Committee On:

Law & Justice

Title: An act relating to providing choice for employers, providers, plans, and other persons in abortion-related benefits.

Brief Description: Amending conscience clause relating to provision of abortion.

Sponsors: Representatives Sherstad, Koster, Stevens, Sheahan, McMahan, Sterk, Hargrove, Backlund, Mulliken, Boldt and Hymes.

Brief History:

Committee Activity:

Law & Justice: 1/30/96, 1/31/96 [DP].

HOUSE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass. Signed by 10 members: Representatives Sheahan, Chairman; Delvin, Vice Chairman; Hickel, Vice Chairman; Campbell; Carrell; Lambert; McMahan; Robertson; Smith and Sterk.

Minority Report: Do not pass. Signed by 7 members: Representatives Dellwo, Ranking Minority Member; Costa, Assistant Ranking Minority Member; Chappell; Cody; Morris; Murray and Veloria.

Staff: Bill Perry (786-7123).

Background: Under Initiative 120, Washington's abortion law, a woman is generally guaranteed the right to seek an abortion. However, the law also guarantees that no "person or private medical facility" can be required to perform an abortion against the person's or facility's objection. Also, no person may be discriminated against in employment or professional privileges because of performing or refusing to perform an abortion.

Under a 1995 enactment, no health care provider, religiously sponsored health carrier, or health care facility has to participate in or pay for "a specific service if they object to so doing for reason of conscience or religion."

Summary of Bill: Providers of medical insurance or benefits may refuse to provide coverage for abortions.

No employer, provider, carrier, plan, or person may be required to provide or participate in any health insurance plan that pays for or provides abortions, or pays for leave to have an abortion.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Some employees and providers are now forced to violate their own consciences by providing coverage for employees' abortions. Under current law, objecting to providing coverage actually works to the detriment of employers, because employees will be specifically directed to alternative coverage that includes abortion services but the employer's premium will not be reduced.

Testimony Against: This change is unnecessary and premature. It is an unprecedented intrusion into employees' rights and violates both the state and federal constitutions. Parties to this dispute should continue to seek a solution through negotiation.

Testified: Representative Sherstad, prime sponsor; Sharon Park, Washington State Catholic Conference (pro); Edward Sauley, Human Life of Washington State (pro); Theresa Conner, Planned Parenthood (con); Roberta Riley, Northwest Women's Law Center and Women's Health Care Coalition (con); and Majken Ryherd Keira, Washington Women United (con).