

# SENATE BILL REPORT

## SB 5629

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As Passed Senate, March 4, 2009

**Title:** An act relating to programs for the prevention of unintended pregnancies and sexually transmitted diseases.

**Brief Description:** Concerning pregnancy prevention programs.

**Sponsors:** Senators Kohl-Welles, Keiser, Fairley, Kline, Marr, Prentice, Franklin, Murray, King and Brown.

**Brief History:**

**Committee Activity:** Health & Long-Term Care: 2/11/09, 2/12/09 [DP, w/oRec].  
Passed Senate: 3/04/09, 33-14.

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### SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

**Majority Report:** Do pass.

Signed by Senators Keiser, Chair; Franklin, Vice Chair; Fairley, Marr and Murray.

**Minority Report:** That it be referred without recommendation.

Signed by Senators Pflug, Ranking Minority Member; Parlette.

**Staff:** Rhoda Donkin (786-7465)

**Background:** In 2007 Washington State passed legislation requiring every public school that offers sexual health education to assure that it is medically and scientifically accurate; age appropriate; appropriate for students regardless of gender, race, disability status, or sexual orientation; and that it includes information about abstinence and other methods of preventing unintended pregnancy and sexually transmitted diseases. The law further requires that abstinence may not be taught to the exclusion of other materials, including on contraceptives and disease prevention.

Since 1996 the federal government has offered states funding for abstinence education programs for adolescents. In recent years, the federal rules included an eight-part definition of what could qualify as abstinence education. Current state law requires the Department of Health to seek federal funding for these programs; however, following the enactment of our law mandating medically accurate and scientifically accurate education, it was the

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department's position that meeting federal guidelines for abstinence education funding was in conflict with new state law and policy.

**Summary of Bill:** The state is not required to maximize federal funding for abstinence programs and to contract with entities qualified to provide this education.

State agencies may apply for sexual health education funding for programs that are medically and scientifically accurate, including but not limited to programs on abstinence, prevention of sexually transmitted diseases, and the prevention of unintended pregnancies. These programs must be evidence-based, use state funds cost-effectively, maximize use of federal funds, and be consistent with the state's health youth act.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

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

**Staff Summary of Public Testimony:** PRO: This provides consistency for the use of public resources, assuring they will be spent on sexual health education that is proven to be effective, with information that is medically and scientifically accurate. As a parent, I want to make sure my daughters receive accurate sexual health information, whether its about preventing pregnancy, abstinence, or protection against sexually transmitted diseases. Not everyone is in a position to judge the quality of education; we need assurances of accuracy before spending public resources.

**Persons Testifying:** PRO: Senator Kohl-Wells, prime sponsor; Carolyn Peterson, Nancy Nickelson, Kari Kessler, King County Public Health; Wayne Martin, League of Women Voters.