

HOUSE BILL REPORT

HB 1783

As Reported by House Committee On:
State Government & Tribal Relations
Appropriations

Title: An act relating to creating the Washington state office of equity.

Brief Description: Creating the Washington state office of equity.

Sponsors: Representatives Gregerson, Morgan, Ryu, Lovick, Valdez, Ramos, Thai, Reeves, Slatter, Lekanoff, Peterson, Macri, Entenman, Pettigrew, Bergquist, Callan, Stonier, Orwall, Hudgins, Riccelli, Mead, Senn, Santos, Chapman, Walen, Kloba, Doglio, Tarleton, Pollet, Dolan, Davis, Jinkins, Wylie, Shewmake, Pellicciotti, Fey, Stanford, Sells, Morris, Kilduff, Leavitt, Appleton, Tharinger, Ormsby, Frame and Robinson.

Brief History:

Committee Activity:

State Government & Tribal Relations: 2/6/19, 2/13/19 [DPS];
Appropriations: 2/26/19, 2/28/19 [DP2S(w/o sub SGOV)].

Brief Summary of Second Substitute Bill

- Creates the Washington State Office of Equity (Equity Office).
- Establishes a task force to develop the initial operations plan for the Equity Office.
- Requires all state agencies to: provide appropriate and reasonable assistance to the Equity Office as needed, work to meet performance measures, and implement equity assessment tools as appropriate.

HOUSE COMMITTEE ON STATE GOVERNMENT & TRIBAL RELATIONS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 5 members: Representatives Gregerson, Chair; Pellicciotti, Vice Chair; Appleton, Dolan and Hudgins.

Minority Report: Do not pass. Signed by 3 members: Representatives Walsh, Ranking Minority Member; Goehner, Assistant Ranking Minority Member; Smith.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Minority Report: Without recommendation. Signed by 1 member: Representative Mosbrucker.

Staff: Desiree Omli (786-7105).

Background:

Various state agencies have done work around promoting equity and reducing disparities. Some examples include:

- The Governor's Interagency Coordinating Council on Health Disparities (Council), which promotes and facilitates communication, coordination, and collaboration among certain state agencies and communities of color, and the private sector and public sector, to address health disparities.
- The State Board of Health conducts Health Impact Reviews on any state legislative or budgetary change, which must consider the direct impacts on health disparities as well as changes in the social determinants of health.
- The Department of Children, Youth, and Families has set as an initial priority strategies in their work around racial equity, diversity, and inclusion, including applying a racial equity lens in their work.
- The Diversity, Equity, and Inclusion Council works collaboratively with the Office of Financial Management (OFM) and the Department of Enterprise Services (DES) to develop recommendations to build a diverse, inclusive, and culturally competent workforce.

In January 2018 the Council issued a state policy action plan to eliminate health disparities. One recommendation in that plan was for the Governor to issue a policy to create a comprehensive initiative to promote equity in state government. The Council recommended that the initiative include certain aspects, such as actions to improve access to information and services for people who speak languages other than English, collect disaggregated data to raise awareness of inequities that exist in the state's communities, create performance metrics and track progress in making state government more equitable, ensure that diverse communities have a voice in state government decisions, and increase the diversity of the state workforce.

Summary of Substitute Bill:

Washington State Office of Equity—Created.

The Washington State Office of Equity (Equity Office) is created on January 1, 2020, within the Office of the Governor. The stated purpose of the Equity Office is to promote access to equitable opportunities and resources that reduce disparities, including racial and ethnic disparities, and improve outcomes statewide across all sectors of government.

The Governor is required to appoint a director to administer the Equity Office. The Governor must set the director's salary, in accordance with recommendations set by the OFM. The director is required to supervise the administration of the Equity Office, employ and supervise staff, and implement recommendations of the task force, as described below.

Washington State Office of Equity–Duties.

The Equity Office is required to:

- facilitate state policy and systems change to promote equity in policy, practice, and outcomes through:
 - identifying agency policies and practices that may perpetuate inequities;
 - recommending best practices to agencies for promoting equity in service delivery;
 - developing equity assessment tools; and
 - providing technical assistance to agencies in implementing best practices and assessment tools;
- promote community outreach and engagement by:
 - examining and recommending strategies to improve community outreach; and
 - partnering with certain entities to develop community outreach strategies;
- collaborate with the OFM and the DES to develop policies, provide technical assistance, and provide training for agencies on maintaining a diverse, inclusive, and culturally sensitive workforce; and
- establish, in collaboration with Results Washington and agencies:
 - standards for the collection, analysis, and reporting of disaggregated data;
 - agency-specific performance measures using outcome-based methodology to determine the effectiveness of agency programs and services on reducing disparities; and
 - an online performance dashboard.

Washington State Office of Equity–Powers.

The Equity Office may:

- convene work groups as needed;
- compile and create resources for agencies as guidance;
- provide technical assistance to agencies;
- receive and solicit gifts, grants, and endowments from public or private sources for the benefit of the Equity Office; and
- adopt rules as necessary.

Task Force.

A task force is established to create the initial operations plan for the Equity Office, which must be adopted by the task force no later than December 1, 2019. The operations plan must include:

- the mission statement and vision statement for the Equity Office;
- a definition of "equity" to be used by the Equity Office to guide its work;
- the organizational structure of the office, including a plan to include a community liaison for the Equity Office and engage executive level management from all agencies in carrying out the provisions under the act;
- guidance on best practices for developing agency performance measures;
- mechanisms for accountability, including recommendations on agency audits; and
- the estimated cost to carry out the work of the Equity Office.

The task force must submit the adopted operations plan to the Governor and the director of the Equity Office. The task force is staffed by the Council. The task force may, through the

Council, contract with consultants and experts in the area of equity, diversity, and inclusion, as well as form work groups to inform the work of the task force.

The members of the task force include:

- the chair of the Council, who shall serve as the chair of the task force;
- one member from the appropriate committee of the House of Representatives, appointed by the Speaker of the House of Representatives;
- one member from the appropriate committee of the Senate, appointed by the President of the Senate;
- a representative from the Office of the Governor, appointed by the Governor;
- a representative from the OFM's Diversity, Equity, and Inclusion Council, appointed by the Governor;
- a representative from the Office of Minority and Women's Business Enterprises (OMWBE), appointed by the OMWBE Director;
- a representative from each ethnic commission and the Women's Commission, appointed by the Director of the respective commission;
- the Director of the Governor's Office of Indian Affairs, or the Director's designee; and
- a member of the disability community, appointed by the Chair of the Governor's Committee on Disability Issues and Employment.

The task force members are entitled to reimbursement for expenses incurred in the performance of their duties in accordance with law.

Responsibilities of State Agencies.

All state agencies are required to provide appropriate and reasonable assistance to the Equity Office as needed, including gathering and providing data and information. State agencies are also required to work to meet the performance measures established in collaboration with Results Washington and the Equity Office. In addition, state agencies must implement, as appropriate, the equity assessment tools established by the Equity Office.

Substitute Bill Compared to Original Bill:

The substitute bill authorizes the Equity Office to solicit gifts, grants, and endowments from public or private sources for the benefit of the Equity Office.

Appropriation: None.

Fiscal Note: Preliminary fiscal note available.

Effective Date of Substitute Bill: The bill contains an emergency clause and takes effect on July 1, 2019.

Staff Summary of Public Testimony:

(In support) There was a health impact report in 2007 that said a person's zip code determines how long they will live. Health disparities involve many areas across sectors including

access to food, healthcare, and education, to name a few. Many agencies are doing work around equity, but the Equity Office would help to provide coordination and a mechanism for collaboration between agencies and across sectors. The fact that so many agencies are doing work in this area shows that the state wants to do this work; it is just not being done in a coordinated way. A coordinated statewide effort can make a real impact and will allow agencies to learn from one another. It is necessary to ground equity work in shared language and frameworks.

The bill recognizes that agencies cannot do this work alone, and that consultation with impacted communities is needed to make a difference. The Equity Office will be able to improve community outreach and engagement in a more meaningful way, and can help to provide education on how barriers affect certain communities.

(Opposed) None.

(Other) There are certain barriers that are not specifically called out in the bill, but are important to note, including discrimination based on age, gender, and disability. Many in this state believe that age is a determining factor in not getting further in employment, or even being turned down for a position. For example, 20 percent of the population are age 65 years or older, and the majority of these individuals lack a retirement plan. These individuals are then driven back into the workforce for economic survival, but they face difficulties in getting hired because of age discrimination.

Persons Testifying: (In support) Representative Gregerson, prime sponsor; RaShelle Davis, Office of the Governor; Christy Hoff, Governor's Interagency Council on Health Disparities; Esperanza Borboa, Eastside Legal Assistance Program; Jennifer Werdell, JustLead Washington; and Jim Bamberger, Office of Civil Legal Aid.

(Other) Fred Yancy, Washington State School Retirees' Association.

Persons Signed In To Testify But Not Testifying: None.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on State Government & Tribal Relations. Signed by 19 members: Representatives Ormsby, Chair; Bergquist, 2nd Vice Chair; Robinson, 1st Vice Chair; Cody, Dolan, Fitzgibbon, Hansen, Hudgins, Jinkins, Macri, Pettigrew, Pollet, Ryu, Senn, Springer, Stanford, Sullivan, Tarleton and Tharinger.

Minority Report: Do not pass. Signed by 13 members: Representatives Stokesbary, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Rude, Assistant Ranking Minority Member; Caldier, Chandler, Dye, Hoff, Kraft, Mosbrucker, Schmick, Steele, Sutherland and Ybarra.

Staff: Jessica Van Horne (786-7288).

Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On State Government & Tribal Relations:

The Appropriations Committee recommended the addition of a null and void clause.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Second Substitute Bill: The bill contains an emergency clause and takes effect on July 1, 2019. However, the bill is null and void unless funded in the budget.

Staff Summary of Public Testimony:

(In support) This bill will help agencies serve all Washington residents in an equitable manner. The task force will help identify ways state agencies can change or improve their practices to promote equitable access to public services. This bill could improve outcomes in areas like education, housing, employment, health, and public assistance eligibility.

(Opposed) None.

Persons Testifying: Alex Hur, OneAmerica.

Persons Signed In To Testify But Not Testifying: None.