

SENATE BILL REPORT

HB 1009

As Passed Senate, April 6, 2021

Title: An act relating to student health plans.

Brief Description: Concerning student health plans.

Sponsors: Representatives Thai, Slatter, Wicks, Ortiz-Self, Kloba, Lekanoff, Bateman, Johnson, J., Ryu, Senn, Gregerson, Valdez, Cody, Riccelli, Frame, Santos, Macri and Pollet.

Brief History: Passed House: 2/23/21, 57-40.

Committee Activity: Health & Long Term Care: 3/17/21, 3/19/21 [DP, DNP].

Floor Activity: Passed Senate: 4/6/21, 29-19.

Brief Summary of Bill

- Requires certain student health plans to provide coverage for the voluntary abortion of a pregnancy.

SENATE COMMITTEE ON HEALTH & LONG TERM CARE

Majority Report: Do pass.

Signed by Senators Cleveland, Chair; Frockt, Vice Chair; Conway, Keiser, Randall, Robinson and Van De Wege.

Minority Report: Do not pass.

Signed by Senators Muzzall, Ranking Member; Holy, Padden, Rivers and Wilson, J.

Staff: Greg Attanasio (786-7410)

Background: Insurance Coverage for Abortions. A health plan that provides coverage for maternity care or services must also provide substantially equivalent coverage to permit the voluntary abortion of a pregnancy. The plan may not limit a woman's access to services related to the voluntary abortion of a pregnancy, except for generally applicable terms and

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

conditions, including cost-sharing. A health plan is not required to cover abortions that would be illegal under state law.

Student Health Plans. Certain student health plans are exempt from most requirements applicable to other health plans, including requirements relating to abortion coverage. To be exempt, a student health plan must be guaranteed renewable while the covered person is a student at an institution of higher education and must be approved by the Office of the Insurance Commissioner (OIC).

Objections Based on Conscience or Religion Under State Law. No individual health care provider, religiously sponsored health carrier, or health care facility may be required by law or contract in any circumstances to participate in the provision of or payment for a specific service if they object to so doing for reasons of conscience or religion. No person may be discriminated against in employment or professional privileges because of such objection. No individual or organization with a religious or moral tenet opposed to a specific service may be required to purchase coverage for that service or services if they object to doing so for reasons of conscience or religion. A health carrier must:

- provide enrollees written notice of the services the carrier refuses to cover for reasons of conscience or religion;
- provide written information describing how an enrollee may directly access services in an expeditious manner; and
- ensure that enrollees who are refused services have prompt access to information describing how they may directly access services in an expeditious manner.

The OIC must establish a mechanism to recognize the right of conscience while ensuring enrollees timely access to services and to ensure prompt payment to providers. Under rules adopted by the OIC, all carriers are required to file a description of the process they will use to recognize an organization or individual's exercise of conscience when purchasing coverage. The process may not affect a non-objecting enrollee's access to coverage for those services.

Summary of Bill: A student health plan issued or renewed on or after January 1, 2022, is subject to the abortion requirements applicable to other health plans. The student health plans to which this requirement applies include student health plans deemed by the Insurance Commissioner to have a short-term limited purpose or duration or to be guaranteed renewable while the covered person is enrolled as a regular full-time undergraduate or graduate student at an accredited higher education institution.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony: PRO: Current law requires reproductive parity for most health plans but student health plans are left out. This bill will provide the same coverage mandates as exist for other plans. No one should delay care based on lack of coverage. The bill will remove a barrier to accessing education.

CON: Faith based colleges should not be required to pay for coverage of abortions. The bill restricts choice of an institution to provide maternity care without including abortion coverage. Forcing students to pay for abortion care they do not want is not fair to students. There should be more focus on reducing the number of abortions. This bill forces women to choose between education and family.

Persons Testifying: PRO: Representative My-Linh Thai, Prime Sponsor; Hannah Sieben, Graduate and Professional Student Senate-UW; Yvette Maganya, Planned Parenthood Votes Northwest and Hawai'i; Sam Locke, Washington Student Association; Samantha Cruz Mendoza, Associated Students of Washington State University; Jules Overfelt, Student; Annika Vanderspek.

CON: Margaret Lee; David DeWolf, Gonzaga Law School; Kathryn Amdahl, Students for Life of America; Mark Miloscia, Family Policy Institute of Washington; Jan Decker; Theresa Schremp; Matthew Guiher, Students For Life; Josiah Cowart, Students for Life; Miles Wiley, Miles Wiley Music; Adrienne Joyce, Washington State Catholic Conference.

Persons Signed In To Testify But Not Testifying: No one.