

SENATE BILL REPORT

SJR 8206

As Reported by Senate Committee On:
Health & Long-Term Care, February 3, 2026

Brief Description: Amending the Constitution to establish a right to affordable health care.

Sponsors: Senators Hasegawa, Chapman, Liias, Lovelett, Nobles, Saldaña, Slatter, Stanford, Valdez and Wilson, C..

Brief History:

Committee Activity: Health & Long-Term Care: 1/29/26, 2/03/26 [DP-WM, DNP].

Brief Summary of Bill

- Amends the state Constitution recognizing that it is the state's obligation to ensure that every Washington resident has access to cost-effective, clinically appropriate, and affordable health care as a fundamental right.

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Majority Report: Do pass and be referred to Committee on Ways & Means.

Signed by Senators Cleveland, Chair; Orwall, Vice Chair; Slatter, Vice Chair; Bateman, Chapman, Riccelli and Robinson.

Minority Report: Do not pass.

Signed by Senators Muzzall, Ranking Member; Christian, Harris and Holy.

Staff: Julie Tran (786-7283)

Background: Amending the State Constitution. The state Constitution provides a method for the adoption of amendments to the Constitution. To amend the Constitution, a joint resolution must be passed by a two-thirds majority of both houses of the Legislature. To be enacted, the proposed amendment must be placed on the next general election ballot and must be approved by a simple majority of the voters.

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.

The Constitution provides requirements for two methods of publicity for proposed constitutional amendments. The first is a requirement that the Secretary of State send a copy of the proposed amendment, with arguments for and against the proposal, to every residence in the state. The second is a requirement that notice of the proposed amendment be published in every legal newspaper in the state at least four times during the four weeks preceding the election.

Access to Health Care Coverage in Washington State. The Health Care Authority (HCA) is the state's largest health care purchase. HCA purchases care for nearly 3 million Washington residents through Apple Health Medicaid, the Public Employees Benefits Board Program, the School Employees Benefits Board Program, and as the designated single state authority for behavioral health.

The Office of the Insurance Commissioner (OIC) regulates insurance by:

- monitoring insurer solvency;
- protecting and educating insurance consumers;
- reviewing and approving insurers' rates and policy forms;
- licensing and overseeing insurance producers such as brokers and agents;
- reducing insurance fraud and unlawful activities; and
- rulemaking and implementation of legislation.

OIC regulates fully insured health plans in Washington State, which includes both individual and small group market options. These health plans cover over 1 million Washington residents. For 2026 individual health insurance market, 14 health insurers have been approved to sell health plans in the state.

Federal law preempts the state and OIC from regulating self-funded plans. Self-funded plans cover approximately 2.3 million Washington residents.

As of 2023, the uninsured rate in Washington State was 4.8 percent.

Summary of Bill: At the next general election, the Secretary of State must submit the constitutional amendment to the voters for their approval and ratification, or rejection, that recognizes the state's obligation to ensure that every resident of Washington has access to cost-effective, clinically appropriate, and affordable health care as a fundamental right.

The amendment provides that this state obligation must be balanced against the public interest in funding other essential public services, and any remedy arising from an action brought against the state to enforce this right may not interfere with the balance against the public interest in funding other essential public services.

The Secretary of State must publish notice of the amendment at least four times during the four weeks preceding the election in every legal newspaper in the state.

Appropriation: None.

Fiscal Note: Available.

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

Effective Date: Subject to ratification by voters at the next general election.

Staff Summary of Public Testimony: PRO: A nation's values are defined by its healthcare system and how to use their resources. The state has done much work to ensure access to health care in the state. The continued access is important and should be a right. Making that declaration in the state constitution provides guidance for what the state is currently doing and what the state is working toward. Treating health care as a fundamental right is no different than treating public primary education as a right. Everyone is at risk of illness and injury and deserves a fair opportunity to be seen and cared for. Health care has gotten considerably more expensive and medical debt is the leading cause of family bankruptcy. Limited health care leads to poor health outcomes, significantly impacting quality of life. Making health care right opens possibility for people to thrive. The health care system is fragmented and there is so much waste in the system. This bill does not immediately fix the system but it is important for the transition to a less exploitative health care system by balancing needs across all providers rather than segregating services by provider and insurance. This is a good thing for everyone in the state since everyone is a health care consumer. This is a logical next step and a commitment to take care of one another. This will improve outcomes and have a lot financial savings to the state.

CON: The constitution is the state's highest law and it is not the place for vague language. Adding standards that does not define key terms means that the courts must decide what is affordable, to whom is it affordable, and what counts as access. Amending the constitution for this purpose will give justification and necessity for more tax mandates in the future in order to hold up this new constitutional right. Taxpayers don't need any more legal bills. Health care continues to be a discussion topic as it should but this is not the way to go about it. Health care is not a right. It is a need just like housing and food are needs. Health care isn't free and the state cannot afford it. This is an attempt to force a single-payer, taxpayer-funded medical system onto the state's citizens. It would also result in a poor system for the delivery of medical care. There are concerns about how the state must balance the obligation for affordable health care against public interest, what balance means, and what type of care and service will the state prioritize paying for versus which will not be as prioritized.

Persons Testifying: PRO: Senator Bob Hasegawa, Prime Sponsor; David McLanahan, Physicians for a National Health Program Washington State Chapter; Mike Yestramski, WFSE; Thomas Kennedy; Andre Stackhouse, Whole Washington; Alyssa Grant, Sea Mar CHC; Vicki Lowe, American Indian Health Commission; Richard Burton, AFT Washington Labor Federation; Natalie Koconis, Students for a National Health Program; Jeff Nichols,

Twin Harbors Central Labor Council, AFL-CIO; Nathan Rodke, Washington CAN; Kathryn Lewandowsky, MSLS,BSN, RN; Stephanie Hegewald.

CON: Elizabeth New, Washington Policy Center; Eric Lundberg; Jeff Pack, Washington Citizens Against Unfair Taxes; Theresa Schrempp.

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