



Washington is a leader in the effort to defend the fundamental right, safety and privacy of women to make their own reproductive health choices, which includes access to abortion care. Inslee and lawmakers propose a 2023 legislative package that will strengthen access and protection for patients who seek these medical services and other maternal health funding.

Protecting access to reproductive care

This year's U.S. Supreme Court decision to overturn the landmark *Roe v. Wade* decision launched the nation into a historic fight to maintain and strengthen reproductive freedom and the right to abortion access.

Since the ruling was handed down, 13 states have enacted bans on all or nearly all abortion. Washington clinics have seen a 20% increase in abortion and medical care requests. To maintain the state's availability and support, Inslee joined California Gov. Gavin Newsom and Oregon Gov. Kate Brown to reiterate a commitment to reproductive freedom. Inslee also provided \$1 million in emergency funding to ensure access to abortion services for all who seek it in Washington. He also directed the Washington State Patrol to refuse to cooperate with states that reach out for investigations related to an individual receiving abortion care in Washington.

The governor's 2023 legislative and budget proposals on reproductive access will guarantee Washington's permanent place as a reproductive choice sanctuary. These policies will protect patients and providers that offer or seek abortion care, shield all parties from privacy intrusions concerns, and ensure clear and direct access to abortion care – regardless of a patient's



Washington protestors advocate for the right to reproductive freedom during a June press conference at the Legislative Building in response to the U.S. Supreme Court decision. (Office of the Governor photo)

physical location. Defending the right, safety and privacy of reproductive choices is paramount to more equitable outcomes for these individuals. This budget and policy proposal also highlights the need for stronger funding and programming for new parents and people who give birth.

Solidify abortion as a constitutional right

The governor proposes a simple state constitutional amendment that permanently establishes the right to abortion access.

While Washington’s laws and constitution currently protect abortion access, freedom and privacy, this amendment would strengthen and explicitly call out the legal reproductive freedom protections. This means every individual will have a fundamental right to have an abortion and the right to contraception in Washington. These protections would also extend to any person who travels to Washington for this medical care.

Keep reproductive health care affordable for all

Under this proposal, the Department of Health would have \$15 million General Fund-State (GF-S) in the 2023-25 biennial budget and \$5 million GF-S in the 2023 supplemental budget to reimburse health clinics for the cost of providing patients with reproductive care and support services. This includes costs to help patients travel to Washington clinics, secure child care and other supports.

Protect individuals from misinformation and misleading practices

Crisis pregnancy centers are non-health care entities that bring in vulnerable pregnant people and steer them away from abortion as an option. These are dangerous organizations that use and sell collected patient information to only promote pregnancy and

birth options. The Department of Health would receive \$1 million GF-S to go toward a public awareness campaign that educates people about non-health care facilities. This includes educating individuals on which questions to ask to make sure they know what organization they are seeking assistance from, and how to rely on accurate information as they make their own reproductive health decisions.

Strengthen health data privacy

A governor-supported bill being backed by Attorney General Bob Ferguson and being introduced by Rep. Vandana Slatter and Sen. Manka Dhingra would prevent non-health care entities (such as crisis pregnancy centers) from collecting, sharing or selling health-related data without a patient’s explicit consent. It would also stop groups that are connected to reproductive or gender-affirming care from collecting data from specific locations around the state.



Gov. Jay Inslee responds to the Supreme Court decision in Dobbs v. Jackson Women’s Health Organization, which overturned the constitutional protection for abortion established by Roe v. Wade. (Office of the Governor photo)

Other governor-supported reproductive and privacy bills

The governor supports a variety of reproductive and privacy bills that various legislators are sponsoring. These include protecting consumers through reinforced privacy shield laws, maintaining access to abortion and developing a Medicaid doula rate.

Reinforce shield laws

The governor supports protecting the legal rights of people who seek or provide reproductive health care services in Washington. This bill would protect those providing services in Washington from out-of-state prosecution from states with regressive abortion punishment laws. This also includes those receiving or providing gender-affirming care in Washington.

Maintain access to abortion

Backed by the governor and the attorney general, this bill lets the attorney general review and approve hospital mergers and acquisitions before they happen. This will help the state determine whether a particular merger could limit abortion access or gender-affirming care.

Develop Medicaid doula rate

This would require the Health Care Authority to develop and prepare an implementation plan for Medicaid reimbursement of doula services. Doulas provide maternity support services throughout pregnancy, at birth and postpartum. Evidence shows that doula services can bring better outcomes for parents and newborns, particularly for communities at higher risk of poor outcomes.

Expand the Birth Equity project

The governor proposes \$3.2 million GF-S to expand the Birth Equity project, which is a foundational way to support prenatal and perinatal health. The goal of the project is to examine the root causes of inequitable

outcomes among new parents. We can best do this by learning directly from community members with lived experience and support community driven programs that aim to reduce inequities.

Inequities most commonly exist for Black, American Indian and Alaskan Native (AI/AN), and Hispanic women with some of the most extreme cases seen in the AI/AN community. That's why this project also focuses on culturally appropriate, community-led, evidence-based and evidence-informed supports for these communities. This funding would help close some of the gaps and further build trust in these communities.

Substance use disorder

Due to stigmatization and punitive treatment against pregnant people with substance use disorders (SUD), many avoid interaction with the health care system until they need to deliver. Research shows disparate outcomes also heavily impact new parents with substance use disorder. \$3.7 million in funding (Distributor Opioid Settlement Funds-State) would help new mothers and their newborns through SUD at birth. This allows the new parent and newborn to stay together and receive necessary supports to help them extend their hospital stay. This means they have more time to receive additional wrap-around support services and develop a safe care plan for themselves and their newborn. These actions improve health outcomes and reduce the likelihood of legal intervention.