

2009 Washington Legislative Session: How Women Fared



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The 2009 Legislative session was one for the history books. The legislature and Governor faced an unprecedented challenge: with a whopping \$9 billion deficit, balance the state budget without raising taxes. They made massive cuts in health care, human services, higher education, K-12, and natural resources. Federal stimulus money helped, but could not fill a \$9 billion hole.

Programs funded by state-only dollars were the most vulnerable to cuts. Especially heartbreaking was a 43% cut to the Basic Health Program for low-income working people. 40,000 slots were slated for elimination by January 2010. The Health Care Authority is working to keep people enrolled, but doing so will mean raising premiums drastically for many, along with other cost-cutting changes for Basic Health enrollees.

Another safety net program, the General Assistance-Unemployable program, was dealt a \$43 million cut to its health care component, which will be managed by shifting these individuals into managed care offered by the Community Health Plan of Washington.

Some of the health care budget cuts impacting women in particular include the following:

- Elimination of universal vaccine purchase (\$48.5 million), including the HPV vaccine.
- \$4 million reduction in Department of Health family planning grants.
- 20% reduction in maternity support services (\$17 million), with the focus shifting to high-risk pregnancies.

One bright spot is the preservation of funding for the family planning program housed in DSHS Community Service Offices. Another early success in the budget battle was preserving funding for domestic violence shelters and legal advocates. *Thank you* for the outpouring of support for these programs through emails and calls to legislators!

Legal Voice's Legislative Program

Despite this bleak budget context, Legal Voice forged ahead with a legislative agenda that included bills to advance women's legal rights by:

- expanding the domestic partnership law;
- adding protections for tenant victims of sexual assault, unlawful harassment, and stalking by their landlords;
- funding and expanding Washington's Family Leave Insurance program; and
- prohibiting gender discrimination in community athletics programs.

We also monitored hundreds of other bills on issues ranging from family law to unemployment insurance to predatory lending. Advocates fought to save programs from the chopping block, and legislators worked into the wee hours in the waning days of the session. Adding to the drama, the Governor wielded her veto power on several bills.

Overall, we are pleased to report that, despite the dire financial concerns that weighed heavily on government officials and advocates in Olympia, there were bright spots. Three of our priority bills passed, and while Family Leave Insurance was not expanded, it was preserved. In addition to progress on our priority bills, there are now new protections for breastfeeding women, victims of hate crimes, and workers vulnerable to trafficking, and more. And a number of bills that had the potential to set back women's rights did not make it through.

The key victories for women and other interesting developments from the session are summarized below.

EMPLOYMENT AND ECONOMIC RIGHTS

CIVIL RIGHTS

HEALTH AND REPRODUCTIVE FREEDOM

VIOLENCE AGAINST WOMEN

FAMILY LAW

OTHER LEGISLATION OF INTEREST

EMPLOYMENT AND ECONOMIC RIGHTS

ESB 6158 Delaying the implementation of the family leave insurance program*

Effective Date July 26, 2009

Prime Sponsor: Senator [Keiser](#)

The legislature created the Family Leave Insurance Program in 2007, and benefits payments were due to start in October 2009. However, responding to delays based on the budget crisis, this new law pushes out the program for three years, so that benefits are payable beginning October 1, 2012. The deadlines for annual reports to the Legislature also are delayed, to September 1, 2013 (instead of September 1, 2010).

Legal Voice and its allies had high hopes for [SB 5679](#) and [HB 1609](#), which would have secured a dedicated funding source for the program through payroll deductions and expanded coverage to include leave for a worker's own serious health condition or to care for a seriously ill family member. But with the severe budget shortfall, the focus shifted to preserving the program. On the positive side, [HB 1160](#), which would have eliminated the Family Leave Insurance program entirely, did not move out of committee.

2SSB 5850 - Protecting workers from human trafficking violations*

([View Session Law](#))

May 14 Governor partially vetoed.

Effective date 7/26/2009

Prime Sponsor: Senator [Kohl-Welles](#)

Foreign workers brought to the United States are particularly vulnerable to abuse by employers – including forced prostitution, exploitive domestic service, and indentured servitude in sweatshops. These odious practices particularly harm women and children.

This new law will help protect these workers from trafficking by requiring recruitment agencies and domestic employers who are responsible for bringing the workers to Washington to inform them, in a language they understand, of their rights and protections under state and federal labor laws. In addition, the law requires the Office of Crime Victims Advocacy to disseminate information on methods of recognizing victims of human trafficking to licensing authorities for the persons most likely to come into

* *This is a bill that Legal Voice supported in its final form.*

contact with trafficking victims – physicians, psychologists, mental health counselors, marriage and family therapists, and social workers.

Though the Governor vetoed a provision that would have made violations of this law actionable under the Consumer Protection Act, this law will still help these most vulnerable workers know their rights and get assistance if they have been victimized.

[SSB 5963](#) - Regarding unemployment insurance

([View Session Law](#))

Effective date 5/14/2009

Prime Sponsor: Senator [Kohl-Welles](#)

This law changes the way unemployment benefits are charged back to employers, to respond to the federal Department of Labor's assessment that Washington's unemployment insurance system does not conform to federal law (which requires that unemployment tax rates reflect actual benefits paid). Regrettably, in addition to ensuring conformity with federal law, the law also made long-term structural changes to the unemployment insurance system, including drawing down the Trust Fund, without making any commensurate changes to improve the benefit structure for workers.

Of great concern to Legal Voice is the bill's limitation of "good cause" to a finite list of reasons, a reaction to a 2008 Washington Supreme Court decision, *Spain v. Employment Security Department*, that found that the 11 reasons listed in the statute as "good cause" to quit were not exclusive. Women are disproportionately impacted when the Commissioner cannot use discretion to determine whether a worker has good cause for quitting. Thus, for example, if the worker loses her child care or she is sexually harassed on the job and is forced to quit, she will be denied benefits because the statute does not explicitly identify those reasons as sufficient "good cause" to quit.

Because it means an additional \$94 million to the state from the federal Unemployment Insurance Modernization Act, the legislation did add to that list of acceptable reasons a "quit to follow" provision, so that a worker has good cause to quit (and thus is not excluded from receiving benefits) if he or she left work to relocate because of a spouse or domestic partner who receives a work transfer. This "quit to follow" provision is good public policy, as it promotes family well-being and family unity, but it does not make up for the potential harm caused by creating an exclusive list of work connected "good cause" factors for voluntarily leaving one's employment.

** This is a bill that Legal Voice supported in its final form.*

There was some hope for an improved bill when the House Commerce & Labor committee amended the bill to provide workers with some benefits, including (1) an increased "benefit multiplier" formula used to determine the claimant's weekly benefit amount and (2) a provision that would allow benefits to persons who had quit due to unreasonable hardship if reasons were work-connected. Ultimately, however, in some of the final dramatic votes of the session, the Legislature eventually rejected these amendments, and the unamended legislation as described was signed by the Governor.

Legal Voice also opposed other bills that would have limited "good cause"; neither SB 5242 nor HB 1628 made it out of its respective legislative committee.

[ESHB 1906](#) Improving economic security through unemployment compensation*

([View Session Law](#))

Effective date 4/5/2009

Prime Sponsor: Representative [Conway](#)

One of the first bills signed into law this session, this bill was intended to provide economic stimulus through the unemployment insurance system. The bill provides a temporary increase in unemployment benefits by adding \$45 to the weekly benefit amount, with a minimum weekly amount of \$155 and expanded eligibility for training benefits program to persons including low-wage workers, military, and disabled persons. The bill also eliminated restrictions to the shared work program, the program through which partial payments are made to workers who are not laid off, but whose hours are reduced, which resulted in an over tenfold increase employer participation in this program (one of just a few such programs in the country).

[SHB 2071](#) - Concerning education for parents of needy families*

([View Session Law](#))

Apr 13 Governor partially vetoed.

Effective date 7/26/2009

Prime Sponsor: Representative [Green](#)

This bill amends WorkFirst (Washington's program for Temporary Assistance to Needy Families) to increase participation in educational and training programs. Under WorkFirst, recipients receive a comprehensive assessment prior to referral to job search activities. The bill would change the post-assessment "individual responsibility plan" so that it would include consideration of educational and training opportunities, not just referral to

* *This is a bill that Legal Voice supported in its final form.*

employment, as well as a description of services available to the recipient during and after WorkFirst to enable the recipient to advance in the workplace and increase wage earning potential.

This law amends Washington's WorkFirst program to increase participation in educational and training programs. The Governor signed this bill with a partial veto. She vetoed the intent section (Section 1 of the bill), stating that because the original bill changed during the legislative process, the intent section was broader than the substantive language in the bill that passed the legislature. The partial veto does not affect the bill's implementation.

[SSB 5286](#) – Regarding exemptions from the WorkFirst program*

[\(View Bill as Passed Legislature\)](#)

May 15 Governor vetoed.

Prime Sponsor: Senator [Regala](#)

Under Washington's WorkFirst program, recipients of Temporary Assistance for Needy Families (TANF) with children under age one can receive a "good cause" exemption from participating in work and work activities, for up to twelve months total over a parent's lifetime. This bill would have also ensured that parents with good cause exemptions would be exempt for the first 90 days after a child's birth from participating in DSHS-required activities relating to mental health treatment, alcohol or drug treatment, domestic violence services, parenting education or skills training.

Governor Gregoire vetoed this bill in full, stating in her veto message that it would limit the state's ability to require new parents to receive treatment. Demanding that a parent of a baby under 3 months old – already living in poverty – participate in various programs or face the loss of financial help only hurts families and, especially, children.

Legal Voice supported this bill and is disappointed in the Governor's veto. Legal Voice believes that we must treat people living in poverty with dignity, respecting the need for families to take time to care for each other when a new baby joins the family. There are ways other than TANF sanctions to ensure that new parents have access to needed resources for substance abuse treatment, parenting support, or support for victims of domestic violence.

[EHB 1087](#) - Improving the effectiveness of the office of minority and women's business enterprises*

** This is a bill that Legal Voice supported in its final form.*

[\(View Session Law\)](#)

May 6 Governor partially vetoed.

Effective date 7/26/2009

Prime Sponsor: Representative [Kenney](#)

The Office of Minority and Women's Business Enterprises (OMWBE) is the sole authority for certifying minority, women-owned, and socially and economically disadvantaged businesses for participation in public contracting programs. This bill, as passed by the Legislature, would have required the Office of Financial Management to develop a strategic plan to improve the OMWBE's effectiveness. In addition, the bill would have required the appointment of an advisory committee to provide policy advice and would require state agencies and educational institutions to submit annual reports on participation by qualified MWBE in their contracts.

The Governor vetoed two of these three provisions: the requirement of strategic planning, because the Legislature did not provide funding, and the advisory committee, because the legislation was "unnecessarily prescriptive" about the committee's structure. The remaining provision became law, with the Governor stating that it supports her efforts to achieve supplier diversity. The final law, while less robust than its initial versions, at least will help to highlight and encourage minority and women-owned businesses in public contracting.

[EHB 1167](#) - Studying the linked deposit program

[\(View Session Law\)](#)

May 7 Governor partially vetoed.

Effective date 7/26/2009

Prime Sponsor: Representative [Hasegawa](#)

A main obstacle to minority-owned and women-owned business enterprises (MWBEs) is lack of access to capital. The Linked Deposit Program assists banks in making qualifying loans to MWBEs; the state forgoes interest on funds deposited in public banks, on the condition that the bank reduces the interest rate for the loan recipients.

The bill, as it passed the Legislature, would have required the Office of Minority and Women's Business Enterprises (OMWBE) to submit a report to the Legislature on barriers faced by certified small businesses that are not able to participate in the Linked Deposit Program and making recommendations on how to overcome those barriers. Another provision

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allows the State Treasurer to reduce the effective interest rate the state receives on CDs to zero percent.

Despite having the support of the minority and women-owned business community and the banking community, the Governor vetoed the requirement that OMWBE submit a report, citing lack of funding and the burden such a report would create for a small agency. This is unfortunate, as a report would have assisted the program in identifying ways to improve the program and ultimately, to assist in community development. However, the provision allowing banks to reduce the interest rate to zero survived and is now law.

CIVIL RIGHTS

E2SSB 5688 Expanding the rights and responsibilities of state registered domestic partners*

[\(View Session Law\)](#)

Effective Date: 07/26/09 - Except for sections 5 through 8, 79, 87 through 103, 107, 151, 173 through 175, and 190 through 192, which become effective 01/01/14; and sections 165 and 166, which become effective 08/01/09.

Prime Sponsor: Senator [Murray](#)

This legislation extends all state law rights and responsibilities for married spouses to state registered domestic partners. In 2007 and 2008, the Legislature passed bills that created a domestic partner registry and provide domestic partners with many rights and responsibilities available to married couples. This legislation closes the remaining gaps in state law for domestic partners. The bill defers until 2014 a number of provisions with a fiscal impact, such as pension and survivor benefits for domestic partners of certain state employees.

Opponents of domestic partnership rights filed [Referendum 71](#), which would put the new legislation to a vote in the November election. As part of the coalition Washington Families Standing Together, Legal Voice opposes the effort to place Referendum 71 on the ballot.

To be certified for the ballot, backers had to file a petition with the signatures of at least 120,577 registered voters by 5:00 p.m. Saturday, July 25, 2009. The vote count is underway and it is still too close to call.

** This is a bill that Legal Voice supported in its final form.*

Other marriage equality bills this session: Several other marriage equality bills, including bills that would have provided for full marriage equality ([SB 5674](#) and [HB 1745](#)) and attempts to define marriage as limited to a man and a woman ([HJR 4204](#) and [HB 1980](#)) also failed to move out of their committees.

[HB 1596](#) - Protecting a woman's right to breastfeed in a place of public resort, accommodation, assemblage, or amusement*

([View Session Law](#))

Effective date 7/26/2009

Prime Sponsor: Representative [Green](#)

This law prohibits discrimination against mothers who breastfeed their children in public places. Breastfeeding provides proven health benefits for mothers and children. However, prior to passage of this bill, while Washington exempted breastfeeding from indecent exposure laws, women were not protected while nursing their children in public places. This law will help eliminate the outmoded and discriminatory expectation that mothers of infants and young children stay out of public life.

[ESSB 5967](#) - Prohibiting unfair practices in public community athletics programs by prohibiting discrimination on the basis of sex*

([View Session Law](#))

Effective date 7/26/2009

Prime Sponsor: Senator [Kohl-Welles](#)

This bill adds protections against discrimination for girls and women participating in community athletic programs. Discrimination in resource allocation often results in girls' teams being assigned inferior fields or worse practice times than all-male teams - or being denied access to facilities altogether. This new law prohibits discrimination based on sex in community athletics programs and requires adoption and dissemination of nondiscrimination policies. It also requires covered entities to identify the person(s) responsible for compliance with this law.

[SB 5952](#) - Modifying the definition of "sexual orientation" for malicious harassment prosecution purposes*

([View Session Law](#))

Effective date 7/26/2009.

Prime Sponsor: Senator [McDermott](#)

** This is a bill that Legal Voice supported in its final form.*

This legislation amends the definition of "sexual orientation" in Washington's hate crimes law to include gender expression or identity. Prior to this new law, the hate crimes law defined "sexual orientation" as only heterosexuality, homosexuality, or bisexuality. This change protects a wider range of persons subject to acts of hate and violence. It also aligns the statute's definition of "sexual orientation" with the existing definition in Washington's Law Against Discrimination.

Another bill regarding antiharassment – this one focusing on enhancing antiharassment strategies in public schools (HB 2015) – would have built on previous legislation in 2002 and 2007. A September 2008 report found that while districts have complied with the law and have anti-bullying policies, bullying in Washington schools has not declined significantly since 2002. While this bill passed out of the House policy committee, it failed to pass out of the education appropriations committee.

HEALTH AND REPRODUCTIVE FREEDOM

SB 5629 - Concerning pregnancy prevention programs*

[\(View Session Law\)](#)

Effective date 7/26/2009.

Prime Sponsor: Senator [Kohl-Welles](#)

In 2007, Washington passed its Healthy Youth Act, requiring all public school sexual health education programs to include medically and scientifically accurate information and providing that abstinence could not be taught to the exclusion of other methods of preventing unintended pregnancies. However, state law also required that the Department of Health apply for available federal funding for abstinence education programs. This legislation – the culmination of a multi-year effort – ensures that the state no longer must seek funding that is contrary to state law and undermines Washington's sexual health curriculum requirements.

OTHER HEALTH-RELATED BILLS

Legal Voice also opposed several bills that sought to restrict health care and reproductive rights; these bills, which did not ultimately progress to a full vote in either house, included the following:

- **HB 1687 Providing health care provider right of conscience.**
This bill would have allowed all healthcare providers and facilities to

** This is a bill that Legal Voice supported in its final form.*

refuse to inform, refer, or treat patients based on the healthcare provider's personal beliefs without regard to, or liability for, resulting harm to patients. Legal Voice strongly opposes such "conscience clauses"; you can read more about our work standing up for patients' rights [here](#).

- **[HB 1688](#) Addressing abortion procedures or treatments performed on minor females and females subject to guardianship**

This bill would have prohibited abortions to minors without parental consent and imposed a 48-hour waiting period before an abortion could take place. It also would have infringed on healthcare providers' professional judgment by requiring them to tell young women specific information about fetal development and mandating that they show young women ultrasound photos. Legal Voice strongly opposes such attempts to restrict or impede a woman's reproductive freedom.

- **[SB 5546](#) Regarding parental or guardian access to juvenile records.** This bill would have allowed a minor's parent or guardian access to information about the minor's mental health treatment in all situations but those endangering the minor – even when the minor voluntarily consents to that treatment on her own and has not consented to release of that information to her parent or guardian. This bill raised serious concerns about restrictions on young people's medical decision-making and privacy.

VIOLENCE AGAINST WOMEN

[HB 1148](#) - Protecting animals from perpetrators of domestic violence*

[\(View Session Law\)](#)

Effective date 7/26/2009.

Prime Sponsor: Representative [Williams](#)

This legislation allows courts to issue protection orders that include protections for pets and grant custody over pets to domestic violence survivors, rather than their abusers. This legislation grows out of research showing the strong correlation between animal abuse and domestic violence and child abuse.

[HB 1790](#) - Including domestic violence court order violations to the list of offenses eligible for notification*

** This is a bill that Legal Voice supported in its final form.*

[\(View Session Law\)](#)

Effective date 8/1/2009.

Prime Sponsor: Representative [O'Brien](#)

The victim and witness notification program requires the Department of Corrections (DOC) to send written notice to certain persons of parole, release, community custody, work release placement, furlough, or escape of offenders convicted of a violent offense, a sex offense, or felony harassment. This bill expands the program to include notification regarding offenders convicted of violating a protection or no-contact order in a domestic violence protection case.

[SHB 1856](#) - Providing certain procedures for tenants who are victims of sexual assault, unlawful harassment, and stalking*

[\(View Session Law\)](#)

Effective date 7/26/2009

Prime Sponsor: Representative [Kessler](#)

This legislation adds protections under Washington's Residential Landlord Tenant Act for tenants who are victims of sexual assault, stalking or unlawful harassment by their landlords or by employees of their landlords. These tenants are particularly vulnerable, as their abusers retain the keys to their homes.

Under the new law, a tenant who is sexually assaulted, stalked or unlawfully harassed by a landlord may immediately terminate her lease and move out without penalty or further liability for rent, as well as recover a pro rata share of rent paid for that month. Further, a tenant victim may add or change locks to her residence, at her own expense, rather than move out immediately. These protections are available to tenants with valid protection orders or a record of reporting the incident to a qualified third party, which includes law enforcement officers, certain health care professionals, and others.

FAMILY LAW

[SSB 5166](#) - Modifying license suspension provisions for the failure to pay child support*

[\(View Session Law\)](#)

Effective date 7/26/2009

Prime Sponsor: Senator [Regala](#)

** This is a bill that Legal Voice supported in its final form.*

Federal law requires that states have procedures allowing them to suspend or restrict various licenses of individuals owing past due child support, including driver's licenses, professional and occupational licenses, and recreational and sporting licenses. However, suspending the license of a person owing child support can be counterproductive, because it often restricts the parent from his or her ability to earn income and pay support.

This new law allows parents trying to collect child support to recover at least partial payment if the parent has made a good faith effort to comply with a child support order. If the parent has, the judge may set an individually-tailored payment schedules, and the payment may be for less than current support for a reasonable period of time.

[SHB 1170](#) - Modifying parenting plans based on the military service of a parent

[\(View Session Law\)](#)

Effective date 7/26/2009

Prime Sponsor: Representative [McCoy](#)

This legislation establishes new procedures to resolve matters regarding custody and visitation when a parent serving in the armed forces receives temporary duty, deployment, activation, or mobilization orders from the military, including expedited hearings and electronic provision of testimony and evidence.

[SHB 1239](#) - Addressing parenting plans and residential schedules in dependency proceedings

[\(View Session Law\)](#)

Effective date 7/26/2009

This bill allows juvenile courts to have concurrent original jurisdiction with family courts over parenting plans or residential schedules. It also authorizes the court hearing a dependency petition to hear and determine issues related to establishing or modifying a parenting plan.

[SB 5342](#) - Regarding the designation of residential time in parenting plans.

Did not pass

Prime Sponsor: Senator [Kastama](#)

In 2007, the Legislature passed 2SSB 5470, which, among other things, eliminated presumptions regarding how residential time was designated in

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parenting plans, and gave the court the ability to order shared parenting plans if in the best interest of the child. SB 5342 would have deleted this language permitting shared parenting plans if in the best interests of the child, instead allowing courts to enter "standard orders" regarding residential time – providing less discretion to courts to fashion parenting plans that meet the best interests of a child.

Legal Voice opposed this legislation, having long advocated for individualized parenting plans tailored to the specific needs of each child and his/her parents rather than a "one size fits all" approach.

Grandparent visitation: [SB 5477](#), [SB 5643](#)/[HB 2056](#), [SB 6013](#)/[HB 2091](#), [SB 6014](#)/[HB 2092](#), [HB 1607](#)

None passed

Ever since court decisions held Washington's grandparent visitation statutes to be unconstitutional, each year brings new efforts to provide grandparents with a means of petitioning the court for visitation with their grandchildren. This year was no exception, with several bills seeking to create new provisions allowing grandparents to petition for visitation if they have a "significant" relationship with their grandchild, the parent has interfered in that relationship, and the grandparent can prove that it would be harmful to the child if visitation were not granted.

Legal Voice will continue to monitor future grandparent visitation bills. While we support the important work that many kinship caregivers provide to children, we will continue to raise the concern that such bills privilege only one group of people - grandparents - to seek visitation with a child, without providing a remedy to other people who have significant relationships with children, even though children may suffer identical harms from the denial and ensuing disruption of the relationship.

OTHER LEGISLATION OF INTEREST

[SB 5038](#) - Making technical corrections to gender-based terms*

([View Session Law](#))

May 19 Governor partially vetoed.

Effective Date: July 26, 2009

Prime Sponsor: Senator [Kohl-Welles](#)

State law requires that all statutes be written in gender-neutral terms, unless a specification of gender is intended. Pursuant to 2007 legislation, the Code

** This is a bill that Legal Voice supported in its final form.*

Reviser must make annual legislative recommendations to make the Revised Code of Washington completely gender-neutral by June 30, 2015. This bill made progress on that goal by amending hundreds of statutes to make terms gender-neutral; for example, by changing "man" or "men" to "person" or "persons," "councilman" to "councilmember," and "chairman" to "chair." The Governor partially vetoed the bill because of conflicting amendments with other bills.

[SJM 8012](#) - Urging adoption of a treaty fighting discrimination against women*

[\(View Bill as Passed Legislature\)](#)

April 17 Filed with Secretary of State

Prime Sponsor: Senator [Fraser](#)

Through this joint memorial - a form of legislation that is addressed to the President and/or Congress of the United States, asking for consideration of some matter of concern to the state or region - the Washington State Legislature urges the U.S. Senate to prioritize consideration and approval of the Convention of the Elimination of All Forms of Discrimination Against Women (CEDAW). CEDAW's guiding principle is that women's rights are human rights, and it has been an effective tool to reduce discrimination, violence, and trafficking against women. Adopted by the United Nations General Assembly in 1979, CEDAW became an international treaty in 1981 and has been accepted by 185 countries other than the U.S.

COALITION PRIORITIES

[2SSB 5945](#) - Creating the Washington health partnership plan*

[\(View Session Law\)](#)

May 18 Governor partially vetoed.

Effective Date 7/26/09

Prime Sponsor: Senator [Keiser](#)

This bill backed by the Healthy Washington Coalition established a set of health reform goals, with the ultimate goal of establishing access to affordable, comprehensive health care services for every resident by 2014. Of particular significance for women's health, the bill requires the Department of Social and Health Services (DSHS) to maximize funds for family planning services by including in the current waiver coverage for sexually transmitted disease (STD) testing and treatment. Further, the bill directs DSHS to request a return to eligibility requirements used for the program in 2005, which included allowing citizenship determinations based

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on a declaration and confidential service availability for minors and survivors of domestic and sexual violence. DSHS also is directed to request increasing eligibility from 200% to 250% of federal poverty level, to correspond with eligibility for publicly-funded pregnancy Care services. Citing lack of specific funding by the Legislature, the Governor surprised the broad coalition of advocates by vetoing a section that would have created an advisory group to monitor both state and federal level health care reform activities, with a goal of aligning state activities to the state would be prepared to participate in federal health reform.

[ESHB 1709](#) - Providing fee and installment plan assistance for borrowers at risk of default on small loans*

[\(View Session Law\)](#)

Effective date 1/1/2010.

Prime Sponsor: Representative [Nelson](#)

A priority of the Alliance to Prevent Predatory Lending, this bill protects consumers from predatory payday loans by providing more options and time to repay loans. Borrowers are allowed to enter into a payment plan after just one loan, as opposed to four consecutive loans, and it provides a timeframe of 90 or 180 days with equal 15-day installment payments to help borrowers repay loans and break the cycle of debt. In addition, the bill limits loans to eight per year and limits the amount of loan to a percentage of the borrower's gross monthly income. The bill was the subject of dramatic procedural maneuvering in the House and Senate, with the Senate stripping the bill of consumer protections, the House refusing to concur, and then the official record showing the Senate "insisting on its position" and then the House "adher[ing] to its position." The stronger version of this bill eventually passed, and despite rumors of a full or partial veto, Governor Gregoire signed the bill as passed by the Legislature.

** This is a bill that Legal Voice supported in its final form.*