Capitol News Final Edition

April 24, 2023

Melissa Johnson, WSLHA Lobbyist

# WSLHA Priorities

[HB 1222](https://lawfilesext.leg.wa.gov/biennium/2023-24/Pdf/Bills/House%20Bills/1222.pdf?q=20230115205537), legislation that mandates large group insurance plan coverage (employers with more than 50 employees) for **hearing instruments and the services** necessary to fit them, has been delivered to the Governor for his approval.

[HB 1436](https://app.leg.wa.gov/billsummary?BillNumber=1436&Initiative=false&Year=2023), the **special education** bill, passed the House and Senate and has been delivered to the Governor for his approval. The final bill:

* Directs OSPI to annually review data to ensure there is not a disproportionate identification of students.
* Requires OSPI to provide technical assistance to school districts experiencing issues related to disproportionality and make professional development opportunities available to promote inclusionary teaching practices.
* Requires JLARC and the State Auditor to conduct a performance audit of the state's system of providing special education.
* Increases the special education excess cost multipliers for pre-K and K-12 students.
* Increases the special education enrollment funding cap from 13.5 percent to 15 percent.
* Requires the Office of Education Ombuds to delegate special education ombuds to serve as a resource for students and their parents, subject to appropriations.
* Directs the Superintendent of Public Instruction to develop an allocation and cost accounting methodology that ensures state general apportionment funding is allocated to a student's special education program when basic education services are provided in an alternative setting and report to the Legislature.

# General News

The Washington State Legislature finished its business on time, with the Sine Die (Latin phrase meaning “without a day to reconvene”) gavel dropping at 10:04 pm on Sunday, April 23rd. Democrats, emboldened by November election results and a large majority, focused their efforts on gun violence prevention, housing and homelessness, workforce issues, police pursuit, and abortion.

It was a busy last weekend of session, with lawmakers finalizing the two-year $69 billion operating budget on Saturday and passing it on Sunday. The final budget does not contain any new tax proposals. It adds about $4.7 billion in new spending and leaves about $3 billion in reserves. Highlights include:

* $2.9 billion in new spending for K-12
* $417 million for special education
* $142 million for substance use disorder treatment
* $16 million to protect access to reproductive care
* $519 million for housing
* $400 million from the Climate Commitment Act for carbon emission reduction, carbon sequestration, clean energy, energy efficiency in homes and buildings, and salmon recovery

Speech and hearing-related budget items include:

* Funding is provided for contracting costs necessary to determine the impact of modifying the essential health benefit plan to include hearing aids, fertility treatment, and prophylactic mastectomy as described in Substitute Senate Bill 5338 (Essential health benefits). (Insurance Commissioner's Regulatory Account-State) (One-Time)
* Funding is provided for the early hearing detection program for infants due to loss of federal funding and more restrictive uses of federal funding. This program provides hearing detection screenings for infants and directs families to early intervention programs and resources as needed. (General Fund-State) (Ongoing) (DOH)

One significant bill that died in the last hours of the session was SB 5536, the conference-negotiated compromise on drug possession. The conference bill was voted down in the House on Sunday evening, with many progressive Democrats joining Republicans in opposition. It remains to be seen whether Governor Inslee will call the Legislature back into a special session to address it or if local jurisdictions will be left to put together a patchwork approach to drug possession in Washington.

Finally, during caucus on Sunday, House Republican Leader JT Wilcox and Deputy Republican Leader Joel Kretz announced they would both be stepping down from these roles. An election for new leadership is expected in May.

# Other Health Care Legislation Enacted this Session

**HB 1340 (Riccelli, D-3) -** Establishes that participation in reproductive health care services or gender affirming treatment by health care providers does not constitute unprofessional conduct under the Uniform Disciplinary Act (UDA).

**HB 1503 (Riccelli, D-3) -** Requires health professionals to submit demographic information upon initial licensure and renewal.

**SB 5121 (Cleveland, D-49) -** The expiration date for the Joint Select Committee on Health Care and Behavioral Health Oversight is changed from December 31, 2022, to December 31, 2026.

**SB 5179 (Pedersen, D-43) -** Expands the health care providers authorized to perform the duties of the Death with Dignity Act (Act) to include advanced registered nurse practitioners and physician assistants.

**SB 5217 (Dhingra, D-45) -** Repeals the law prohibiting the Department of Labor and Industries (Department) from adopting rules related to ergonomics or musculoskeletal disorders.

**SB 5242 (Cleveland, D-49) -** Prohibits health plans from imposing cost-sharing for abortion services.

**SB 5338 (Cleveland, D-49) -** Directs the Office of the Insurance Commissioner to review the state's essential health benefits and determine whether to request federal approval to update those benefits.

**SB 5396 (Wilson L, R-17) -** Requires health carriers that provide coverage for supplemental and diagnostic breast exams to provide coverage without cost sharing.

**SB 5581 (Muzzall, R-10) -** Requires the Office of the Insurance Commissioner, in collaboration with health carriers, to develop strategies to reduce or eliminate deductibles and other cost sharing for maternity care services, including prenatal care, delivery and postpartum care.

**SB 5729 (Keiser, D-33)** **-** Removes the expiration date on the $35 cost-sharing cap for insulin.