

Disability Lobby Day Agenda

Disability Outreach Center

W.I.L.D. 2019

Support Balance Billing Protection Act **[House Bill 1065 & Senate Bill 5031]**

HB 1065 & SB 5031, if passed, will establish the Balance Billing Protection Act. This act will address several issues pertaining to charges for out-of-network health care services by:

- Preventing people from receiving surprise bills or balance bills for services provided at out-of-network facilities.
- Remove consumer responsibility for managing contractual disputes between health insurance carriers and health care facilities/providers.

The bill negates consumer responsibility in cases where health care providers and carriers are not transparent with consumers about billing, protecting the consumer from paying an unexpected debt to their health care carriers (“balance billing”). This act will support people who are fully insured through regulated insurance plans and (granting limited services) people who are enrolled in state health care as a public employee. This is important to the disability community and students because this helps prevent the accumulation of medical debt. It also relieves the pressure of arguing with insurance carriers for those already managing health conditions and/or dealing with the pressures of higher education.

Support Treating Youth in the Opioid Overdose Epidemic **[House Bill 1039]**

HB 1039 will increase access to non-addictive, opioid overdose medication to K-12 schools and higher education. The United States is currently in the midst of an opioid overdose epidemic with 693 people dying and 1,600 people hospitalized for overdose during 2017 in Washington State alone. The Centers for Disease Control and Prevention (CDCP) indicates that access to non-addictive, opioid overdose medication, such as naloxone, will help prevent deaths amongst youth caused by opioid overdose. This law requires that K-12 school districts will:

- Obtain and maintain opioid overdose medication in each high school in its district.
- Allow opioid overdose medication administering on school property.
- Train school personnel designated to distribute or administer opioid overdose medication.

HB 1039 also requires that public institutions of higher education with residence hall housing to task at least 100 students with developing plans for maintaining and administering opioid overdose medication and training designated personnel to administer the medication. This will help to ensure the safety of students in K-12 and higher education.

Support Early Learning Access for Children with Disabilities [Senate Bill 5089]

SB 5089 approves an increase in early learning access for children 30 months and older with development delays or disabilities. Eligibility is given to children whose family income is at or below 10% of the federal poverty level, who qualify for special education due to disability, or who have received early intervention services in the Early Support for Infants and Toddlers program. Priority allowance into early learning programs through this bill is given to children from the lowest income and children in foster care. This additional access to resources will allow students with disabilities greater opportunities to meet grade level expectations, increasing their odds of attaining higher education.

Support Inter-State Licensure [Senate Bill 5054]

SB 5054 will establish a reciprocity program so specific individual and group health professionals with licensure or certification in other states may also be able to work in Washington State. Those who will be eligible for this reciprocity program are:

- Chemical dependency professionals, mental health counselors, social workers, or marriage and family therapists.
- Those who have no disciplinary record or criminal history.
- Those who hold or have held within the last year a license or certification in good standing from another state or territory of the United States.

Currently there are only 10.1 psychiatrists for every 100,000 people in the state of Washington (Center for Health Workforce Studies, 2016). There is particularly a need for mental health support among students. At Western, the Counseling Center is equipped to provide only short term and group therapies, meaning that many students require outside referrals. Allowing these mental health practitioners to practice in Washington State will help alleviate the desperate need for additional access to mental health resources.

Support House Bill 1064 & Senate Bill 5029

HB 1064 & SB 5029 will necessitate, by May 6, 2019, that the commission must consult with law enforcement agencies and community stakeholders and adopt rules for carrying out training requirements, including:

- Requiring a certain number of hours spent for initial mental health trainings, and annual training hour requirements for all subsequent trainings.
- Establishing means by which law enforcement officers will receive trainings.
- Developing and implementing curricula which the commission will consider the inclusion of the following:
 - De-escalation and interpersonal communication training, especially in interacting with people with disabilities and/or behavioral health issues
 - Alternatives to jail booking, arrest, or citation
 - Implicit and explicit bias, cultural competency, and the historical intersection of race and policing
 - Alternatives to the use of physical or deadly force
 - Mental health and policing, including bias and stigma

This helps support disability communities by helping to ensure that law enforcement officers are informed enough to make appropriate decisions regarding people with disabilities and needs they have that may differ from those of people without disabilities. At least 25 percent of people killed by police are experiencing a mental health crisis. In as of May, in 2018 at least 64 people with mental health related disabilities were killed by law enforcement officers (ACLU, 2018). This strongly demonstrates the need for additional training.

Police Accountability

The Associated Students of Western Washington University recognizes that excessive force wielded by law enforcement affects all communities by fostering distrust and resentment. Not only are individuals deprived of their constitutional and human rights when subjected to excessive and often deadly force, their communities are likewise negatively impacted, resulting in decreased public safety and a virulent relationships between communities and law enforcement. Often times, abuses of power are not isolated incidents, but rather a symptom of systemic and institutional shortcomings. Communities of color, disabled individuals, and LGBTQIA+ individuals, are particularly likely to be targeted by law enforcement officers. A 2015 DOJ report found that, “blacks (14%) were more likely than Hispanics (5.9%), and slightly more than whites (6.9%) to experience nonfatal force during street stops.” (DOJ). Certainly, students who themselves are part of these communities are also subject to disproportionate rates of use of force by police, which will negatively impacts their academic, social, and mental wellness. Even those who have not directly experienced abuses of power are still deleteriously affected, as they continue to witness members of their communities and loved ones suffer.

Therefore, we recommend:

- Adoption of the recommendations put forth by the Joint Legislative Task Force's requiring:
 - The establishment of meaningful police accountability structures that, among other things, ensures that there is a safe mechanism to submit formal complaints about officers
 - An objective investigation of those complaints is completed in a timely manner; makes findings; where there is a finding of misconduct, recommends appropriate discipline and/or training; and ensures that discipline is appropriately completed.
 - Requiring that all instances of deadly force be investigated by external bodies (outside the department employing the officer(s) involved) with investigative competency and sufficient resources; and providing oversight and funding through the Attorney General's Office.

Requiring law enforcement agencies to report the use of deadly force to the Attorney General's Office, and requiring the Attorney General's Office to collect data, on a standardized statewide basis, regarding the use of deadly force by law enforcement officers.

Support for Survivors of Sexual Assault

The Associated Students of Western Washington University is increasingly concerned with the frequency of sexual violence on campuses and how often these instances go unreported. While 1 in 5 womxn and 1 in 16 men are sexually assaulted while they are in college, only 10% of students report assaults due to personal or institutional barriers. Furthermore, transgender students, students with mental disabilities, black and Native American students, and students facing poverty are disproportionately impacted. We believe that more students will be able to access support with increased funding at the state level, which will promote a safer campus and community environment. We also believe that, as a whole, we have a responsibility to alleviate the burden faced by survivors of sexual assault as much as possible. Increased funding at the state level will permit universities to implement stronger and more effective support programs for survivors, creating campuses where survivors can complete their education with fewer roadblocks. Therefore, we recommend:

- Support HB 1002 (which modifies the offense of rape in the third degree) and 1016 (which concerns hospital notification of availability of sexual assault evidence kit collection), both of which have direct impact on survivors of sexual assault.
- Support HB 1080 which supports the creation of a public domestic violence offender registry that will allow members of the public to make informed decisions regarding their safety, reducing further harm.

- Allocate resources so that specialized personnel, resources, and training for staff members can be implemented at universities leading to an improved ability to respond to sexual violence and involved parties.
- The development and implementation of a mandatory, state-wide training program for all university faculty, staff, and administration.
- Clarification and transparency surrounding the reporting process as well as readily available information of support services for survivors of sexual and domestic violence at the university and in our communities.

Employment Equity for People with Disabilities

WAC 296-128-050 and WAC 296-125-043

Currently, in Washington State it is legal to pay both adults and minors with disabilities below both state and federal minimum wage requirements. Under the reasoning that this allows employers to extend employment opportunities to people with disabilities. In reality, this allows businesses to exploit the labor of people with disabilities, paying them far below a livable wage. This forces disabled people to be dependent on those around them for financial support in such a way that it prevents independence and also restricts the ability to leave abusive environments.

- Repeal these laws
- Create additional supports and enforcement for people with disabilities seeking employment
- Create additional support and funding for workplace accommodations