



Washington

NAMI Washington 2021 Legislative Session Report

Updated: May 25, 2021

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NAMI Washington Advocacy Actions Summary

This has been one of the most tremendous legislative sessions Washington has seen and has made a huge impact for behavioral health, housing, and human services.

Of the 83 bills NAMI Washington supported, 55 passed the legislature. NAMI Washington supported and participated in different actions such as signing-in, testifying, signing on to letters, and supporting our partners in the field.

And out of the 14 bills NAMI Washington prioritized, 13 passed. NAMI Washington sent out weekly legislative updates that included links for individuals to sign in pro on our priority bills. 16 action alerts were sent out on our legislative priorities at key times and over 1,000 actions were taken by community members. NAMI Washington also hosted a virtual Lobby Week in February, centered on our priorities, with hundreds of participants involved across our state.

Together, we made an impact!

2021 Legislative Session Context

Washington's 2021 Legislative Session was remarkable to say the least. We came into the session amidst a pandemic, racial reckoning, economic crisis, climate crisis, and worsening behavioral health crisis. Washington entered the legislative session with a projected budget shortfall. And yet, the [March revenue forecast](#) increased from November's forecast that brought revenue up to almost pre-pandemic levels. Additionally, there was a significant influx of dollars from the federal [American Rescue Plan](#) and the state's Budget Stabilization Account was used.

The 2021 legislative session was a long session (105 days from January to April beginning the Legislature's two-year cycle) that adjourned on time. The session was largely carried out remotely and no guests or public were allowed at the capitol; greatly impacting advocacy activities so that opportunities to advocate were different. During session it was more challenging to meet with legislators but it was easier to participate in public testimony and signing in on bills.

Through all this, Washington lawmakers seemed to seize the moment! Ultimately, the budget included historic investments in behavioral health and housing and monumental legislation passed, impacting the issues we care about.

See below for NAMI Washington's 2021 priorities and supported legislation that passed!

NAMI Washington's 2021 Legislative Priorities That Passed

Behavioral Health

[HB1086](#): Creates the Statewide Office of Behavioral Health Consumer Advocacy.

[HB1477](#): Provides for our state's implementation and tax for the 988 behavioral health crisis response and suicide prevention number.

[SB5304](#): Provides that people incarcerated, in a state hospital, or other institution must be allowed to apply for medical assistance during confinement, medical assistance must be fully reinstated at the moment of a person's release, and would require the HCA to apply for a Medicaid waiver to provide Medicaid services to the person.

[SB5118](#): Requires written notice of an individual's planned release from a residential facility to be sent to their health care insurance provider, and if the person is not enrolled in health insurance they will be assisted in obtaining coverage.

[SB5229](#): Provides for required continuing education for licensed health professionals on health equity as a part of addressing inequities in the healthcare system and effectively caring for people from diverse backgrounds.

[SB5370](#): Updates the Mental Health Advance Directive form by streamlining language.

[SB5071](#): Creates transition teams to assist specified persons under civil commitment in an LRA treatment order to support success and problem solve any extra support the person may need. The court may omit appointing a community corrections officer if the appointment would not facilitate success or safety of the person or the community.

[SB5073](#): Modifies the requirements for LRAs by allowing substance abuse evaluation to be provided instead of, or in addition to, a mental health evaluation and by requiring consultation about executing a mental health advance directive. Requires a DCR to attempt to ascertain during the initial assessment whether a person being investigated for involuntary commitment has executed a Mental Health Advance Directive.

[HB1196](#): Requires reimbursement for audio-only telemedicine and requires the Insurance Commission and the Collaborative for Advancement of Telemedicine to study and make recommendations regarding telemedicine.

Police Accountability

[HB1054](#): Establishes requirements for tactics and equipment used by police officers, such as banning chokeholds and neck restraints.

[ESHB1267](#): Creates an independent office to investigate deadly use of force by law enforcement.

[SB5051](#): Strengthens accountability and oversight measures for law enforcement; increases civilian composition on the Criminal Justice Training Commission, expands background investigation requirements for law enforcement applicants, expands conduct for which law enforcement certification can be revoked, and requires information on law enforcement complaints and disciplinary actions to be public.

Housing

[SHB1277](#): Provides for additional revenue for eviction prevention and housing stability services.

FY 2021-2023 Operating Budget Priorities

NAMI Washington's budget priorities were included in the final operating budget:

- **Blue Ribbon Commission on the Intersection of the Criminal Justice and Behavioral Health Crisis System** - \$300,000
- **Free Community and School-Based Mental Health Education and Support Programs (NAMI Washington Request)**- \$500,000
- **Implement HB 1277 (eviction prevention and housing stability services)** - \$280,320,000

NAMI Washington's 2021 Legislative Priorities That Did Not Pass

Police Accountability

HB1203: Requires any local jurisdiction with a law enforcement agency that has at least 15 officers to establish a community oversight board by January 1, 2025. This bill died on the floor of its house of origin.

NAMI Washington Supported Legislation That Passed

Behavioral Health

HB1504: Adds workforce education as an allowable use of the Workforce Education Investment Account. Requires the Health Care Authority to establish a behavioral health workforce pilot program and provide training support grants to community mental health and substance use disorder treatment providers. Increases the cap on state match dollars for the Washington State Opportunity Scholarship Advanced Degrees Pathways Account to \$5 million per biennium.

HB1186: Provides that a person placed in the Department of Children Youth and Families community transition services must have access to appropriate behavioral health treatment.

HB1373: Requires that each public school web home page list contact information for behavioral health organizations.

HB1295: Requires education staff at state facilities and residential and child study and treatment centers receive professional development inclusive of mental and behavioral health literacy that impact student learning.

HB1363: Requires the Office of Superintendent of Public Instruction (OSPI) to post resources for secondary trauma in the educator workforce and for WSDA to adopt model policy on secondary traumatic stress.

HB1314: Provides for a person with veteran status or with veteran benefits to be transferred to a veterans' health administration facility for mental health or substance use disorder treatment.

HB1325: Converts the pilot programs for the Seattle Children's Partnership Access Line (PAL), for primary care providers' mental health care questions, into permanent programs. Expands Medicaid benefits to enhance the number of mental health assessment visits for infants from birth to six months and modifies criteria for mental health assessment and diagnosis for children aged birth through five.

HB1208: Modifies the Learning Assistance Program (LAP) to enable school districts to focus on identifying and addressing student academic deficits in basic skills resulting from or exacerbated by the COVID-19 pandemic by granting greater local control over, accountability for, and flexibility with program funds, and to authorize continued flexible use of program funds through the framework of the Washington integrated student supports protocol.

HB1063: Allows for additional renewals for behavioral health professional trainee and associate credentials during a governor-declared emergency; which is important during the pandemic given barriers and challenges for the workforce.

HB1348: Prohibits a person's Medicaid eligibility from being affected by the person's incarceration status for up to 29 days. Expands the settings and changes the circumstances under which an incarcerated person's Medicaid coverage must be suspended. Requires coordination between the Department of Corrections, local jails, and Medicaid managed care organizations.

SB5293: Creates a mental health sentencing alternative which would allow for community custody and treatment for defendants of certain felonies with a serious mental illness, the community and defendant would benefit from supervision and treatment, and the defendant is willing to participate in the sentencing alternative.

SB5030: By the beginning of the 2022-23 school year each school district shall develop and implement a written plan for a comprehensive school counseling program.

SB5325: Provides for reimbursement for behavioral health services through telemedicine from a Behavioral Health Admirative Service Organization (BH-ASO) or Managed Care Organization (MCO).

SB5157: Establishes performance measures for Medicaid plans that track rates of criminal justice involvement for clients with a behavioral health need and improvement targets related to these measures.

Health & Human Services

HB1297: Expands eligibility for the Working Families Tax Credit and expands the base remittance amount and establishes phase out rates for the remittance.

HB1151: Updates the standard of need for cash assistance to better reflect the actual costs of living in the State of Washington, provides a one-time cash assistance benefit and transitional food assistance, and allows Consolidated Emergency Assistance to be provided more than once in a 12-month period during a state of emergency.

SB5214: Expands the exemptions to the Temporary Assistance for Needy Families (TANF) time limits and eases punitive measures put in place during the Great Recession.

HB1090: Prohibits private detention facilities; people confined in for-profit prisons and detention facilities have experienced abuses and have been confined in dangerous and unsanitary conditions.

HB1007: Permits supervised experience hours for social workers to be completed through distance learning.

HB1237: Defines family resource centers as a point of access for services, referrals, and supports for young people, individuals, and families.

HB1273: Requires school districts, private schools, and institutions of higher education to provide menstrual products at no cost beginning in 2023; providing students with access to this healthcare can promote wellness and school engagement, enabling many positive benefits.

HB1078: Automatically restores voter eligibility for people who were convicted of a felony offense.

HB1073: Expands coverage of the Paid Family and Medical Leave (PFML) program.

SB5097: Expands the definition of family member in the PFML program.

HB1072: Allows civil legal aid funds to be used for representation of individuals regardless of immigration status; which is important because civil legal aid can relate to representation in disability rights and health care matters.

HB1342: Eliminates lunch copays for students who qualify for reduced-price lunches.

HB1225: Establishes the school-based health center program office within the Department of Health.

HB1218: Provides for the health, safety, and quality of life for residents in long-term care facilities through emergency preparedness, communications, resident information, and notice of sanctions.

SB5086: Extends Medicaid postpartum coverage from 60 days to one year; this will promote maternal health outcomes, which includes promoting behavioral health.

SB5284: Eliminates subminimum wage certificates, allowing employers to pay lower than minimum wage, for persons with disabilities.

SB5052: Requires the Department of Health, subject to funding, to designate health equity zones statewide and develop projects that meet the needs of each zone. Allows communities to self-identify as health equity zones and develop projects.

SB5377: Increases affordability of standardized plans on the individual market through the Health Benefit Exchange.

SB5195: Requires a hospital emergency department to dispense opioid reversal medication to a patient with opioid use disorder upon discharge.

SB5399: Establishes the universal health care commission to develop a plan to create a health care system in Washington that provides equitable and affordable coverage and access through a universal financing system.

Housing

HB1220: Prevents a city from discriminatory zoning against transitional housing, permanent supportive housing, indoor emergency housing and shelters.

HB1236: Provides for eviction protection of residential tenants.

HB1070: Modifies allowable uses of local tax revenue for affordable housing, inclusive of emergency, transitional, and supportive housing.

SB5160: Provides for tenant protections and continues pieces of the eviction moratorium once it expires.

Policing

HB1089: Authorizes the office of the Washington state auditor to conduct an audit procedure and review at the conclusion of any deadly force investigation.

SB5066: Requires any immediately identifiable peace officer who witnesses another peace officer engaging excessive use of force against another person to intervene and to render aid.

SB5259: Requires the Attorney General's Office to establish an advisory group to make recommendations for implementation of a program for statewide data collection, reporting, and publication of use of force data by April 1, 2022.

Revenue

SB5096: Creates a 7% excise tax on the sale or exchange of capital gains worth \$250,000 and would generate more than \$500 million annually to pay for investments in childcare, early learning, and education.

How Can You Get Involved?

- Sign up to receive NAMI Washington's policy and advocacy updates and information and check out bill tracking [here!](#)
- Check out NAMI Washington affiliates' [online support groups](#).
- Consider taking federal action with NAMI National [here](#).

Contact

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