

2009

Legislative Session Review: Protecting Programs Kids Are *Counting on*



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CHILDREN'S ALLIANCE



2009 Legislative Session Review

The 2009 session was defined by a mounting budget crisis. The state began the session with a projected \$3 billion deficit. By the session's end it had grown to \$9 billion, a full 25 percent of the state's general fund and one of the worst state budget deficits in the nation.

As the session began, the Children's Alliance adjusted our legislative agenda to match that reality. We aimed to protect vital programs that the state had spent years building and which would serve as an essential safety net for children as hard times hit.

The Children's Alliance [2009 Legislative Agenda](#) focused on reminding legislators that kids were counting on them to protect investments in foster care, early learning, anti-hunger strategies, and children's health. Holding the line against devastating cuts to the safety net for kids counted as success in this session.

Doing so required an all-out push by Children's Alliance staff, by the 10,300 members of the Children's Action Network, and through support for our priorities in the media.

The Children's Alliance maintains a full-time lobbyist in Olympia to track bills and budget items, meet with legislators, and testify in hearings to build bipartisan support for legislation that helps children. The first week of the session, Children's Alliance staff were joined by Vicky McIntyre, a mom who attended a hearing to urge lawmakers to restart suspended Apple Health for Kids coverage for her daughter and other children in moderate-income families.

Members of our Children's Action Network sent almost 15,000 emails to lawmakers advocating for legislation and investments in children and their families. Parents sent in 124

photos to join our "[Kids are counting on you](#)" [virtual rally](#)—an online campaign that supported our ongoing effort to highlight what the budget cuts would mean for kids.

On February 27, in beautiful sunshine, more than 300 parents, children, and advocates gathered on the steps of the Capitol as part of our annual **Have a Heart for Kids Day**. House Speaker Frank Chopp made an appearance to reiterate his commitment to health coverage for all kids. In fact, he called for making health care for children a constitutional right.

Media coverage of threats to children's health coverage—including front-page stories in the *Seattle Times* and the *Yakima Herald-Republic*—helped build support for protecting Apple Health for Kids.

The Children's Alliance achieved remarkable success in protecting programs in our priority areas. However, major cuts in other areas, from healthcare to K-12 education, will inevitably hurt families. Some vital programs for kids were protected, but children were not held harmless in this difficult session.

Foster care

This session our foster care priorities were preservation of the Washington State Racial Disproportionality Advisory Committee and securing funding for an evaluation of the practices recommended by Department of Social and Health Services to reduce racial disproportionality in the foster system. Despite efforts to eliminate many boards and commissions, we achieved both goals. RDAC was preserved and Senate Bill 5882 calls for research by the Washington State Institute for Public Policy into whether DSHS practices reduce racial disproportionality.

The Children's Alliance achieved remarkable success in protecting programs in our priority areas. But children were not held harmless in this difficult session.

Early learning

The Children's Alliance's priority issue in early learning this year was maintenance of \$3.5 million for evidence-based home visiting programs, administered through the Council for Children and Families (CCF).

Through coordinated efforts by the Early Learning Action Alliance and the Washington State Home Visiting Coalition, instead of eliminating these programs, the legislature reduced funding to \$1.492 million and retained CCF to administer the programs. The result will be a 25 to 30 percent cut to services in the 2009-11 biennium, but our state will retain infrastructure to build on as funding becomes available.

Unfortunately, a last-minute veto by Governor Gregoire undid a major victory: The education reform bill that passed this session, House Bill 2261, included early learning for at-risk three- and four-year-olds in the definition of basic education. This would have made it part of the state's responsibility under the constitution. The governor vetoed this section, although she stated her commitment to preschool opportunities for all children.

Ending childhood hunger

At the beginning of the session, our goal was to build on our success in 2007, when lawmakers eliminated the co-pay that K-3rd grade students previously paid for reduced-price school lunch; we wanted to eliminate the lunch co-pay for all elementary grades.

However, the budget deficit worsened and Feeding Hungry Children bills (House Bill 1416 and Senate Bill 5361) stalled in the fiscal committees, leading us to adjust our goals.

We helped protect more than \$10 million in state funding for: 1) elimination of the co-pay for all school breakfasts and school lunches in K-3rd grade, 2) the Meals for Kids breakfast subsidy, 3) start-up funding for breakfast, lunch and summer meals, and 4) a small subsidy for summer meals.

Children's health

This session we called upon policymakers to preserve investments in children's health and take advantage of opportunities provided by

recent changes in federal law—most notably the Children's Health Insurance Program Reauthorization Act, which sends millions of new children's health dollars to our state. Legislators protected a planned extension of the Apple Health program to uninsured children living in families earning up to 300 percent of the federal poverty level. Lawmakers also invested \$850,000 in outreach to let families know about Apple Health and how to apply for it.

This victory will protect children as mounting job losses cause more families to lose health coverage. As of April 2009 more than 1,100 kids between 250 and 300 percent of the poverty level had enrolled in Apple Health, and the state projects that by June 2011 more than 4,400 children in this income range will have enrolled.

Additional results

This session's budget crisis brought to the fore the structural problems in Washington's tax code. Washington is one of only seven states without an income tax, and as a result its tax code is among the most regressive. It is also highly vulnerable to economic ups and downs, as became painfully clear this session.

The Children's Alliance's call for new revenues, including a high-earners' tax, gained visibility. Our support for a high-incomes tax, in our response to the Senate budget, was termed "the most dramatic statement of the day" by the blog Publicola.

Senate Majority Leader Lisa Brown publicly supported a high-incomes tax, but the idea went nowhere. An effort led by Rep. Eric Pettigrew to ask voters to approve a temporary sales tax hike, to buy back some of the devastating cuts to health care, also failed. Lawmakers left Olympia with no plans for new revenue to offset the deep cuts in the state budget.

It remains to be seen if discussion of new revenue and reform of Washington's tax code resumes later this year.

Resources

Detailed bill information: www.leg.wa.gov

Parent resources: www.parenthelp123.org



2009 Legislative Session Review

Summary

The Children's Alliance's priority issue in early learning this year was maintenance of \$3.5 million for evidence-based home-visiting programs, administered through the Council for Children and Families (CCF). Through coordinated efforts by the Early Learning Action Alliance and the Washington State Home Visiting Coalition, instead of eliminating these programs, the legislature reduced funding to \$1.492 million and CCF was retained to administer the programs. The result will be a 25 to 30 percent cut to program services in the 2009-11 biennium.

Background

Evidence-based home visiting programs are designed to help vulnerable families successfully navigate the first years of their children's lives.

Trained professionals—sometimes nurses, other times social workers—visit families at their homes to offer support, information, new skills, encouragement, and links to other community resources.

The programs have been shown to promote children's health and help them develop the social, emotional, and intellectual skills they need to succeed in school and life. They also decrease the risk of child abuse, neglect, and future violent crime.

Not only do these programs spare children and communities from the devastating consequences of child abuse and neglect, but they also have been shown to provide an extremely high return on investment to taxpayers by low-



Tegra Stone Nuss

ering levels of criminal activity and increasing high school graduation rates.

In 2007, the Washington State Legislature appropriated \$3.5 million for evidence-based home visiting programs such as the Nurse-Family Partnership (NFP), Parents as Teachers, and the Parent-Child Home Program. Currently, 13 home-visiting programs receive state funding. All also draw on local and private dollars. The state funds are administered by CCF, which also tracks outcomes of participating parents and children.

What happened

In this legislative session, organizations that are members of the year-old Early Learning

Action Alliance (ELAA) began coordinated advocacy around a shared policy agenda.

In December, the Governor's proposed budget eliminated funding for both CCF and evidence-based home visiting programs. Throughout the legislative session, timely, targeted alerts from the Washington Home Visiting Coalition and ELAA were disseminated widely. Work sessions and coordinated testimony from coalition members highlighted the effectiveness, impact, and cost savings of the programs. Media coverage, including op-eds, blog posts, and articles generated by a press conference by Fight Crime: Invest in Kids, helped to create wider understanding about the benefits of these programs in times of increasing need.

Near the close of session, a technical error in the budget reduced the state's ability to draw federal funds for home-visiting, but coordinated action from advocates convinced legislators to amend the budget to correct the problem and restore \$258,000 in federal funds to CCF's budget, preventing what would have been a deeper cut to programs across Washington. While CCF and its programs will face reductions in the 2009-11 biennium, our state will retain some infrastructure to build upon as funding opportunities become available.

In addition, a major milestone for early learning was crossed in the 2009 legislative session. Building on the work of the Basic Education Finance Task Force, which issued its final recommendations in January 2009, legislation was introduced that included early learning for at-risk three- and four-year-olds in a new definition of basic education. This would make it part of the state's responsibility under the constitution.

While the original bills (SB 5444 and HB1410) died, alternative bills were intro-

duced. The bill as it passed the legislature (HB 2261, sponsored by Rep. Pat Sullivan) included a declaration of the legislature's intent to provide programs for at-risk three- and four-year-olds. This would have been a significant victory for early learning in Washington state.

It came as an unpleasant surprise to early learning advocates when Governor Gregoire vetoed that section of the education bill. She stated that she was nevertheless committed to advancing preschool opportunities for all children. We look forward to working with her to hold her to that promise.

A major victory for early learning in the 2009 legislative session eluded us: Early learning for at-risk three- and four-year-olds was to become it part of the state's constitutional responsibility. But the Governor vetoed that section of the bill.

Impact

The reduced home-visiting funds will maintain important services and infrastructure, but the cuts will have a significant impact on low-income children and children of color and their families. Home visiting programs will be less accessible even as needs across the state increase.

Next steps

Between now and the next legislative session we will continue to strengthen the

Early Learning Action Alliance. The Children's Alliance will increase our expertise in birth-to-three policy and our leadership around equity in the development of an early learning system. We will also plan next steps in light of the veto of the inclusion of early learning in the definition of basic education.

Resources

For more information about the Early Learning Action Alliance go to the [ELAA](#) page on the Children's Alliance website under "Our Current Work."



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Summary

Despite cuts in many programs, state funding for school and summer meals for low-income children was preserved in the final 2009-11 budget. Going into the session, our goal was to eliminate the co-pay low-income children pay for reduced-price school lunch in all elementary grades, expanding elimination of the co-pay beyond K-3rd grades and ensuring that all low-income students have access to free meals.

However, the severity of the budget crisis and the failure of Feeding Hungry Children legislation (HB 1416 and SB 5361) to receive a hearing in the fiscal committees led us to adjust our goals.

We succeeded in protecting funding for elimination of the co-pay for all school breakfasts and for school lunches in kindergarten through third grade. We also protected the Meals for Kids breakfast subsidy; start-up funding for breakfast, lunch and summer meals; and a small subsidy for the operation of summer meals.

Background

Beginning in 2006, the legislature recognized the importance of school meals to all low-income children and got rid of a major barrier to participation by eliminating the 30-cent co-pay for students qualifying for reduced-price school breakfast. In 2007, the legislature eliminated the 40-cent co-pay for students qualifying for reduced-price lunch in kindergarten through third grade.

Getting rid of the co-pay works. Participation in school breakfasts rose 50 percent state-wide after the co-pay was eliminated, and in some districts participation doubled. Participation in the lunch program in K-3rd grade also rose after the legislature eliminated the co-pay for K-3rd grades in 2007.



Tegra Stone Nuees

Feeding Hungry Children bills introduced this session stated the legislature's intent to continue eliminating the co-pay for school lunch until low-income students in all grades have access to free meals.

What happened

The coalition that successfully advocated for elimination of the co-pay in 2006 and 2007 (the Children's Alliance, Washington School Nutrition Association, Lutheran Public Policy Office and the Anti-Hunger and Nutrition Coalition) conducted broad outreach to legislators during the interim between the 2008 and 2009 sessions. Rep. Eric Pettigrew helped recruit a new House champion, Rep. Pat Sullivan, and Sen. Joe McDermott continued his long-term commitment to getting food to hungry students.

House Bill 1416 had 37 co-sponsors from both parties and approval in the House Education Committee. Senate Bill 5361 had 15 co-sponsors and was approved by the Senate Early Learning and K-12 Education Committee. However, the fiscal notes on the bills ranged from \$2.3 million to \$3.5 million, and fiscal committees of both houses were severely limiting the bills they approved that would have a fiscal impact. When both committees did not hear the bills, the coalition turned its focus to protecting current state funding for school meals.

By Hunger Action Day, March 20, it was clear that the goal for 2009 must be protecting existing funds. Coalition members delivered messages to all legislators asking them to retain current state investments in child nutrition programs. Child nutrition programs were protected in the Senate and House budgets, as they had been in the Governor's budget.

Impact

The current economic downturn means more families are struggling to keep food on the table. Continued state investment in child nutri-

tion programs means that all low-income school children know they can have a healthy breakfast. And our youngest school children have the security of free school lunch. These stable programs allow parents to focus limited resources on food and other basic needs at home. Because children of color are more likely to live in low-income households, the retention of support for child nutrition programs is of particular importance to their families.

Next steps

The coalition supporting elimination of the lunch co-pay for all grades will meet soon and discuss next steps. School meals occupy a key role in the safety net for low-income students.

Making child nutrition programs easy to access is an essential element of improving our safety net as times get tougher.

All signs say that this summer will be a hard one for hungry children. The Summer Food Service Program

in Washington has been shrinking over the past five years; in 2007 only 12 percent of children eligible for free or reduced-price school meals had access to summer meals in their community. As the Children's Alliance moves forward with its End Childhood Hunger Washington plan, summer hunger will move to the forefront, as will continued access to school meals for all students who need them.

Resources

Parent resources: An easy way for families to learn about potential assistance and see if they are eligible. www.parenthelp123.org

Food Research and Action Center: Up-to-the-minute information on national anti-hunger programs and initiatives. www.frac.org

End Childhood Hunger in Washington: Find [the five-year plan](#) by searching on our website.

Making child nutrition programs easy to access is an essential element of improving our safety net as times get tougher.



2009 Legislative Session Review

Summary

This session we called upon policymakers to preserve our investments in children's health and take advantage of opportunities provided by recent changes in federal law. In a challenging budget year, the state protected a planned extension of Apple Health for Kids to uninsured children living in families earning up to 300 percent of the federal poverty level and invested \$850,000 in outreach to let families know about Apple Health and how to apply for it. The Apple Health for Kids Act (HB 2128) passed, making it easier for uninsured kids to get and stay covered.

Background

During the past year, the Children's Alliance and the Health Coalition for Children and Youth focused on implementation of the 2007 Cover All Kids law. At the end of 2008, over 55,000 kids had enrolled in Apple Health, but nearly 78,000 remained uninsured.

With the support of most of Washington's Congressional delegation as well as Governor Chris Gregoire, President Barack Obama

signed the Children's Health Insurance Program Reauthorization Act (CHIPRA) in February 2009. CHIPRA provides significant additional funds for Apple Health for Kids (estimated at nearly \$570 million over the next five years). It also requires improvements in enrollment, retention and administration, with the potential to bring further funding to the state through performance bonuses and outreach grants.

In addition, the federal stimulus act provided Washington with an additional \$2 billion for Medicaid programs.

What happened

Because of the worsening budget crisis as the session progressed, the Children's Alliance and HCCY shifted our efforts to preservation of a key element of Apple Health for Kids. The original Cover All Kids law specified that children living in families earning between 250 and 300 percent of the federal poverty level would become eligible for Apple Health coverage in January 2009.

However, in December 2008, hundreds of families who had applied for and received notice that their coverage was set to start in the new year got notices that their children would not, in fact, be covered. Due to a looming state budget deficit, that part of the Apple Health for Kids program was suspended. The Children's Alliance and HCCY immediately began working to restore this coverage, including recruiting families to tell their stories about the cut's impacts.

On February 18, two weeks after President Obama signed CHIPRA, the Governor signed House Bill 1694, which clarified the Legislature's intent to continue coverage for children up to 300 percent of the poverty level, and we learned that the state was reversing the cuts to Apple Health.



Ruth Schubert

The Children's Alliance and members of HCCY lobbied hard to pass [House Bill 2128](#), sponsored by Rep. Larry Seaquist. We emphasized the potential to draw down additional federal funds. CHIPRA provides incentives for improving enrollment and renewal rates, identifying potentially eligible children already enrolled in other public benefits programs, and streamlining the renewal process; House Bill 2128 included these elements.

House Bill 2128 also established the buy-in portion of Apple Health, as called for under the Cover All Kids law. Beginning in January 2010, families earning over 300 percent of the poverty level will be able to buy at full cost insurance coverage for their children, who will receive benefits similar to the rest of Apple Health's. The bill also calls for reports to the Legislature on program administration and health outcomes in September 2009.

House Bill 2128 also called for a single staff person to serve as a coordinator for Apple Health and develop criteria to measure health outcomes among enrolled children. The Governor vetoed this section, objecting to its being made a legal requirement. However, in a statement, she committed to appointing an Apple Health point person.

The budget funded the anticipated Apple Health caseload for the next two years and included \$850,000 for outreach. Every outreach dollar the state spends will be matched by two dollars from the federal government, adding up to \$2.4 million for outreach.

Among other health-related bills, House Bill 1373 stipulated that children in Apple Health for Kids receive coverage for up to 20 mental health visits; funding was allocated in the budget (\$19 million). Senate Bill 5945, regarding the Washington Health Partnership Plan, provided a list of criteria for health care reform efforts, including the goal to provide all residents with access to affordable, effective health care by 2014.

Finally, the state's Health Care Authority is now authorized to accept applications for

public assistance programs with electronic signatures, thanks to House Bill 1270. This will be more convenient for applicants, increase government efficiency (thereby reducing costs), and hasten response times.

Impact

Research has found that when public insurance programs lift income limits for coverage, a majority of new enrollees are children who were already eligible under the lower limits; this is called the welcome-mat effect. So extending eligibility will help get more low-income children covered.

Outreach monies, both state and federal, will further extend Apple Health's welcome mat to the hardest-to-reach and most underprivileged families. The funding includes translation services at each stage of the process, helping families enroll, find, and use services and renew coverage.

However, broader cuts to health care in the state will hurt children. The Health Care Authority was given discretion to decide which 40,000 adult Washingtonians would lose coverage as Basic Health is slashed. The final budget also drastically cut payments to hospitals, providers, and clinics, and sets out to eliminate the Universal Purchase vaccine program in early 2010.

Next steps

In the next year, the Children's Alliance and HCCY will focus on implementing 2128. We will advocate to make sure the state leverages the maximum federal funds by meeting the requirements of CHIPRA, including implementation of practices to boost enrollment and retention. We will also advocate with DSHS to ensure successful development of the buy-in program for children in families earning over 300 percent of the federal poverty level.

Resources

To apply for Apple Health coverage:
www.parenthelp123.org



2009 Legislative Session Review

Summary

Our priorities were preservation of the Washington state Racial Disproportionality Advisory Committee and securing funding for one of the recommendations of the RDAC remediation plan released in summer 2008.

We achieved both. [Senate Bill 5882](#) directed the Washington State Institute for Public Policy to evaluate whether current Department of Social and Health Services practices intended to reduce disproportionate representation of African-American, Native American, and Latino children in the state's child welfare system in fact do so. The final budget included \$77,000 for the research by WSIPP. We also succeeded in preserving RDAC.

Background

National research, including a 2004 Urban Institute study, indicate that there is no higher incidence of abuse and neglect in African-American and Native-American families than in white families. Studies have also found that rates of addiction, a frequent factor in removal of children from the home, are the same across races. Yet children of color—particularly Native-American and African-American children—enter Washington's child welfare system at higher rates and stay in the system longer than do their white counterparts.

A 2008 study by RDAC of children referred to Washington's Child Protective Services in 2004, whose cases were tracked through 2007, determined that racial disproportionality in the child welfare system exists state-wide and begins with the decision of whether to refer a child to CPS.

Native-American children were three times as likely to be referred to CPS as were white children, black children nearly twice as likely. Native American and black children were more frequently removed from their home and they stayed in out-of-home care longer than white children.



Ruth Schubert

What happened

In reaction to the state's budget crisis, legislators introduced bills to eliminate many boards and commissions, including RDAC. The Children's Alliance fought back with community mobilization and found legislators to champion preserving RDAC. The bills died and RDAC was preserved.

Senate Bill 5882, sponsored by Sen. Claudia Kauffman and championed in the House by Rep. Eric Pettigrew, was passed and signed by the Governor. It directs the Washington State

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Institute for Public Policy to do an analysis of current practices by DSHS' Children's Administration to determine whether these promising practices do in fact reduce racial disproportionality. The analysis will be completed by September 1, 2010.

Impact

It is traumatic for a community when disproportionately large numbers of its children are represented in the foster care system. Identifying that inequity and the practices that lead to it are the first steps toward reducing it, while keeping children safe. These steps will now be taken, thanks to the preservation of RDAC and

House Bill 5882's provision for WSIPP's research.

Next steps

A representative of the Children's Alliance will continue to serve on RDAC and we will monitor the research from WSIPP. We will also continue to advocate for policies and investments that improve outcomes for children of color.

Resources

[Report on Racial Disproportionality in Washington's Child Welfare System](#)





Photo by Tegra Stone Nuess. Front cover photo by Ruth Schubert

At the Children's Alliance we advocate for kids.

We ensure that laws, policies and programs work for kids, and we hold leaders accountable until they secure the resources required to make all children safe and healthy.

It's time for all of us to stand up for kids. By joining and supporting the Children's Alliance, you and thousands of others like you make kids' lives better. We'll give you what you need to connect your passion to action, live your beliefs and do right by kids.

[Join](#) and [give online](#). Learn more at our [action center](#), contact us at action@childrensalliance.org or call us at 1.800.854.KIDS.



CHILDREN'S ALLIANCE

A Voice for Washington's Children, Youth & Families

718 Sixth Ave S, Seattle, WA 98104
206.324.0340, 1.800.854.KIDS

PO Box 3063, Spokane, WA 99220
509.747.7205

www.childrensalliance.org