



Defending and Expanding Access to Abortion & Gender-Affirming Care

The fall of *Roe* has devastating and far-reaching impacts that land disproportionately on the people who have always faced systemic barriers to care — communities of color, the LGBTQIA2S+ community, undocumented immigrants, young people, those living in rural communities, people with disabilities, and people with low incomes. States like Washington that protect abortion access and gender affirming care will now play an even more critical role in providing care to people from states that ban and criminalize it. It is more important than ever that we unite to ensure abortion and gender-affirming care is not only legal in Washington state — but also accessible and affordable for everyone who needs it by breaking down barriers to care, expanding access, and protecting those seeking and providing care.

Challenges:

Data Abuse Creates Barriers to Care:

Fear, harassment, and criminalization create significant barriers between patients and the care they need. Period tracking apps, people's location history, and even their shopping patterns can expose a lot about a person's health — all data not protected by HIPAA. Without a comprehensive federal data privacy law and with many states moving rapidly to criminalize abortion care and jeopardize access to needed health care services, protecting privacy is an essential step to defend and expand access to health care.

Other States are Criminalizing Care:

States around the country are banning abortion and gender affirming care, creating an environment where providers, abortion and gender affirming care seekers and those helping them obtain care fear they may face civil and criminal liability. These risks are amplified for groups that already face barriers to care, such as undocumented immigrants and youth. Some anti-abortion lawmakers are even trying to limit the ability of residents to travel out of state for abortion care.

What We Can Do:

Data Privacy Regulations:

It is essential that our state pass the Washington My Health, My Data Act this session. It prohibits the selling of health data, requires opt-in consent for the collecting and sharing of health data, prohibits geofencing for the purpose of sending messages or advertisements to places that provide health services, and requires companies to have strong privacy policies.

Protecting Abortion Providers, Helpers, and Patients:

Washington state must strengthen protections for abortion and gender affirming care providers, seekers and helpers. This includes protecting Washington providers' licenses and access to malpractice insurance, prohibiting extradition for the provision of in-state abortion and gender-affirming care, and preventing the state from cooperating with out-of-state investigations.

Challenges:

Barriers to Abortion & Gender-Affirming Care in Washington Persist:

The fundamental right to choose an abortion exists in Washington under our state constitution and under the Reproductive Privacy Act – passed by voter initiative in 1991. However, the existence of this right does not mean people necessarily have access to abortion care. Similarly, the fact that gender-affirming care is legal in our state does not mean that people can readily access these services.

For some, the cost of care may be prohibitive. Others may live where abortion and gender-affirming care are not easily accessible due to the large number of health system mergers in our state which have reduced the availability of services in communities across Washington. Still others may not have the information and assistance necessary to get the care they need.

What We Can Do:

Making Health Care More Accessible:

We must eliminate barriers to care in our state to ensure everyone in Washington and those coming from elsewhere have access to the health care they need.

- End cost-sharing for abortion care. Out of pocket costs should not prevent people from accessing basic health care.
- Prohibit health entity consolidations that diminish access to affordable quality care. The Keep Our Care Act (KOCA) would ensure health entity mergers and acquisitions, improve rather than harm access to affordable quality care.
- Expand funding: Funding is essential to cover the cost of care and related expenses for uninsured and underinsured patients forced to travel to Washington for abortion services, to cover abortion provider relief and workforce development grants and security grants, and to cover QTBIPOC capacity building grants.

Washington can lead nationwide:

Our bodily autonomy, our ability to access the care we need, and our basic rights are in crisis. In Washington we must unite to fight back. Our state has the opportunity to demonstrate leadership nationwide, not merely to defend the right to abortion and gender-affirming care, but to make that right meaningful through expanding and safeguarding access. That requires passing legislation to protect privacy, expand access to abortion and gender-affirming care, protect patients and providers, and fund abortion care. We look forward to supporting legislators as they take steps to defend and expand access to needed health care services.