

Standing Up for Women & Families in 2013

A Legislative Agenda

FEBRUARY 2013

The National Partnership for Women & Families is dedicated to expanding opportunities for women and improving the well-being of our nation's families. For more than 40 years, we have worked to promote fairness in the workplace, reproductive health and rights, access to quality, affordable health care, and policies that help women and men meet the dual demands of work and family.

The National Partnership works to address all of these issues because women are mothers, daughters and workers, caregivers and breadwinners, and consumers and business owners. We need policies and programs that address the complexities and realities of the lives of women and families today.

In 2013, we urge you to stand up for women and families by supporting:

- ▶ **Quality, Affordable Health Care**
- ▶ **Comprehensive Reproductive Health Care, Including Contraception, Abortion and Maternity Care**
- ▶ **Paid Sick Days, Paid Family and Medical Leave, and Expanded Access to the Family and Medical Leave Act**
- ▶ **A Secure Safety Net that Preserves Social Security, Medicare and Medicaid Benefits**
- ▶ **Equal Pay for Women and an End to Employment Discrimination of All Kinds**
- ▶ **A Fair and Diverse Judiciary**

Health Care

All Americans deserve access to quality, affordable health care that is coordinated and patient-centered.



- ▶ **Complete Implementation of the Affordable Care Act (ACA):** The ACA is the greatest advance for women's health in a generation. It is moving us closer to the day when essential women's health services are covered by health insurance, prevention is a priority, and care is coordinated so family caregivers don't have to shoulder unmanageable burdens. We urge Congress and the administration to:
 - ▶ Support adequate resources for the departments and agencies that are administering and enforcing the ACA and oppose any attempts to derail its implementation.
 - ▶ Support new ways of delivering health care to provide better coordinated, patient-centered care that improves quality and increases the value of every health care dollar.
 - ▶ Involve patients and their families – those directly affected by changes in the health care system – in redesigning the way health care services are delivered.
- ▶ **Continue Implementation of the HITECH Incentive Program:** As the primary managers of their families' health care, women will benefit directly from the improvements in our health care system being catalyzed by the HITECH Incentive Program, a federal effort that gives health care providers financial incentives to adopt electronic health records. This program provides tangible benefits to taxpayers by enabling patients and families to access their health information online and communicate electronically with their doctors. As a result, women and families are able to make better health care decisions and manage their care more effectively. We urge Congress and the administration to:
 - ▶ Support the continuation of funding for the HITECH Incentive Program.
 - ▶ Advance the kind of robust health information technology that protects privacy and makes care more effective, coordinated and affordable.
- ▶ **Protect Medicare's Promise for Women:** For millions of older women and women with disabilities, Medicare is their primary source of health care and the lynchpin of their financial independence. Any changes to Medicare must be made in a way that guarantees the promise of affordable, quality health care and makes the program stronger for current and future generations. We urge Congress and the administration to:
 - ▶ Oppose policies that delay access to Medicare, such as raising the age of eligibility.
 - ▶ Oppose efforts to undercut Medicare's social insurance compact, such as premium support or means-testing.

- Oppose attempts to shift additional financial burdens to Medicare beneficiaries, such as excessive co-pays for needed services.
- **Strengthen Medicaid's Safety Net:** Without Medicaid, millions of women and children would not have access to health care services and millions of older women and men would not have access to long-term care. We urge Congress and the administration to:
 - Actively promote Medicaid's expansion as included in the ACA.
 - Oppose policies that would block grant Medicaid or impose a per capita cap.
 - Oppose policies that would reduce federal obligations or arbitrarily shift costs to states or to Medicaid enrollees.
 - Promote the continued expansion of Medicaid family planning services through the Medicaid state plan amendment process and oppose any attempts to undercut family planning services provided through Medicaid.
- **Support Funding for Quality Measure Development:** Quality measures are used to evaluate how well providers and care models are performing. Measures are also used as tools for linking provider payment to better care, better patient and family experiences, and improved population health. We urge Congress and the administration to:
 - Support legislation to provide sustained Medicare funding for quality measurement development and endorsement.

Reproductive Health

Every woman deserves access to quality reproductive health care that includes contraception, abortion, maternity care, and medically accurate information about her reproductive health.



- **Protect and Expand Abortion Coverage:** Women who are enrolled in Medicaid or otherwise depend on the federal government for health insurance have their abortion coverage restricted through policies such as the Hyde Amendment. The ACA further restricts access to abortion coverage by requiring that health plans in the state exchanges collect separate premium payments for this coverage. We urge Congress and the administration to:
 - Repeal abortion coverage restrictions in the ACA and, until that happens, implement restrictions in the least burdensome manner possible so that abortion coverage remains available to women with private health plans.
 - Support efforts to ensure that all women in the military can access abortion care in military medical facilities.

- ▶ Support efforts to expand access to abortion coverage for women in the Peace Corps in cases of rape, incest and life endangerment.
 - ▶ Reject refusal provisions that allow health care providers, insurance plans, and medical institutions to refuse to provide abortion services, including life-saving emergency abortion services, and abortion coverage.
 - ▶ Oppose the Hyde Amendment and other restrictions on women's access to abortion coverage in the annual appropriations process.
- ▶ **Improve Access to Contraception:** The ACA requires all new private health plans to cover a broad range of women's preventive health services without cost-sharing, including all FDA-approved forms of contraception. This will enable millions of women to get the contraceptive coverage they need, improving health outcomes and saving money. The National Partnership believes that *all* women should have access to contraception without cost-sharing and we urge Congress and the administration to:
- ▶ Oppose any effort to undermine the contraceptive coverage rules in the ACA, including refusal provisions that allow health plans, medical institutions, employers and health care providers to deny women contraceptive coverage.
 - ▶ Ensure that the ACA is implemented in a way that guarantees every woman has access to the contraceptive method that works for her without cost-sharing.
 - ▶ Revisit the evidence on the safety of over-the-counter access to emergency contraception for women 17 and under and work to guarantee that all individuals can access emergency contraception without a prescription or age restriction.
- ▶ **Support Public Funding of Preventive Reproductive Health Services:** Investments in pregnancy prevention make women healthier and save almost \$6 over the long-term for every \$1 spent.¹ We urge Congress and the administration to:
- ▶ Provide robust funding for the Title X family planning program and family planning through Medicaid.
 - ▶ Oppose funding for abstinence-only sex education.
 - ▶ Oppose efforts to defund Planned Parenthood.
- ▶ **Enhance the Quality of Maternity Care:** Despite the billions of dollars spent on maternity care in the United States each year – much of it Medicaid dollars – the nation's infant and maternal mortality rates are too high, especially among Black, American Indian and Alaskan Native women. Improving the quality of care for women and their babies is critical.



We urge Congress and the administration to:

- ▶ Support the *Quality Care for Moms and Babies Act* to establish quality measures for maternity care and test new models for maternity medical homes.
- ▶ Provide robust funding for the Title V Maternal and Child Health Block Grant Program to ensure access to quality maternity care, especially for low-income women.

Work and Family & Workplace Fairness

It is long past time for workplaces to reflect the needs of 21st century working families.



- ▶ **Support Paid Sick Days:** Nearly 40 million private sector workers cannot earn a single paid sick day to recover from common, short-term illnesses.² Without paid sick days, workers are forced to make impossible choices when illness strikes: stay home, lose pay and risk their jobs; or go to work sick and risk spreading disease to their co-workers and communities. We urge Congress and the administration to:
 - ▶ Support the *Healthy Families Act* which would establish a national paid sick days standard and allow workers to earn up to seven job-protected sick days each year.
- ▶ **Support Paid Family and Medical Leave Programs:** A mere 11 percent of workers in the United States have access to paid family leave through their employers and fewer than 40 percent have access to employer-provided, short-term disability insurance.³ Yet at some point, nearly all workers will need time away from work to deal with a serious personal or family illness, or to care for a new child. Paid family and medical leave allows workers to meet these needs without jeopardizing their economic security. We urge Congress and the administration to:
 - ▶ Support a national family and medical leave insurance program that would allow workers to earn a portion of their pay while they take a limited amount of time away from work to care for a newborn, newly adopted child or newly placed foster child; care for a family member with a serious health condition or address their own serious health condition.
 - ▶ Support the State Paid Leave Fund within the U.S. Department of Labor which would provide competitive grants to states to establish paid leave programs.
- ▶ **Expand the *Family and Medical Leave Act (FMLA)*:** 2013 marks the 20th anniversary of the FMLA, a landmark federal law that has been used by workers more than 100 million times. Unfortunately, more than 40 percent of all workers are ineligible for the unpaid leave it provides.⁴ We urge Congress and the administration to:

- ▶ Support legislation that expands access to the FMLA to cover: workers in businesses with fewer than 50 employees; part-time workers; leave to care for additional family members including domestic partners, parents-in-law, adult children, siblings, grandchildren and grandparents; and other uses for leave, including for children's educational activities and routine family medical needs.

- ▶ **Guarantee Equal Pay:** Women working full time, year-round are paid only 77 cents for every dollar paid to men. The gap is even larger for women of color, with African American women paid 64 cents and Latinas 55 cents for every dollar paid to white, non-Latino men.⁵ We urge Congress and the administration to:



- ▶ Support the *Paycheck Fairness Act* which would update and strengthen the *Equal Pay Act* by closing loopholes and improving the law's effectiveness. The *Paycheck Fairness Act* would make it harder for employers to hide pay discrimination, reward employers that have good pay practices, and help train women and girls in salary negotiation.

- ▶ **Protect Pregnant Workers:** Despite existing protections against discrimination, pregnant workers in this country still face discrimination every day. Pregnant workers are forced out of their jobs and denied reasonable accommodations that would enable them to continue working and supporting their families. We urge Congress and the administration to:

- ▶ Support the *Pregnant Workers Fairness Act* to help end pregnancy discrimination and promote the health and economic security of pregnant women, their babies, and their families.

- ▶ **Enable Workers to Challenge Systemic Discrimination:** In 2011, the U.S. Supreme Court dealt a blow to the ability of workers to effectively challenge unlawful employment discrimination with its decision in *Wal-Mart Stores, Inc. v. Dukes*. We urge Congress and the administration to:

- ▶ Support the *Equal Employment Opportunity Restoration Act* which would restore the ability of workers to come together to vindicate their rights to equal employment opportunity.

- ▶ **Strengthen Retirement Security:** Social Security is the largest source of retirement income for most seniors, helping millions pay for food, housing and other necessities. Fifty-four million Americans,⁶ including 26.1 million adult women who are widowed, retired or face a serious disability, depend on it.⁷ There is no other guaranteed wage replacement program, public or private, that offers the same level of economic security.

We urge Congress and the administration to:

- ▶ Ensure workers' retirement security is not jeopardized when they have to take time out of the workforce to care for loved ones by creating a caregiver credit in Social Security for periods of time when a worker had no or reduced earnings because of caregiving responsibilities.
- ▶ Oppose cuts to Social Security benefits such as the application of the chained Consumer Price Index (CPI) to the calculation of cost-of-living adjustments (COLA) to Social Security benefits, which is not more accurate and would adversely impact the 56 million seniors, veterans, people with disabilities, and children who rely on the program's benefits.

A Fair and Diverse Judiciary

The federal courts remain critical to protecting women's rights.

- ▶ **Prioritize the Confirmation of Qualified Judges with a Demonstrated Commitment to Equal Justice to Every Level of the Federal Judiciary:** Federal judges

appointed in 2013 will have an impact on the issues that most affect women and families for decades to come. Yet, there are

more than 100 federal court vacancies, two-thirds of which no one has been nominated to fill. Nearly a third of those vacancies are considered judicial emergencies, meaning the current caseload is not sustainable for the existing judges. The National Partnership believes that the appointment of federal judges is critical to the lives of women and families and we urge the Senate and the administration to:

- ▶ Nominate and confirm qualified judges to fill all vacancies, with a focus on individuals who increase diversity on the federal courts and who understand the needs of women and families, including access to abortion and contraceptive services, equal pay, family and medical leave, comprehensive health care, and the ability to compete in workplaces free of discrimination.



1 Thomas, A. (2012, March). *Policy Solutions for Preventing Unplanned Pregnancy*. Center on Children and Families at Brookings Publication [CC Brief #47]. Retrieved 11 February 2013, from http://www.brookings.edu/~media/Files/rc/reports/2012/03_unplanned_pregnancy_thomas/03_unplanned_pregnancy_thomas.pdf

2 U.S. Bureau of Labor Statistics. (2012, September). *National Compensation Survey: Employee Benefits in the United States, March 2012 (Table 32)*. Retrieved 11 February 2013, from <http://www.bls.gov/ncs/ebs/benefits/2012/ebbl0050.pdf>

3 Ibid.

4 Abt Associates Inc. (2012, September). *Family and Medical Leave in 2012: Technical Report*. Retrieved 4 February 2013, from <http://www.dol.gov/asp/evaluation/fmla/fmla2012.htm>

5 U.S. Census Bureau. (2012). *Current Population Survey, Annual Social and Economic (ASEC) Supplement: Table PINC-05: Work Experience in 2011 – People 15 Years Old and Over by Total Money Earnings in 2011, Age, Race, Hispanic Origin, and Sex*. [Unpublished calculation] Retrieved 11 February 2013, from http://www.census.gov/hhes/www/cpstables/032012/perinc/pinc05_000.htm

6 The Board of Trustees of the Federal Old-Age and Survivors Insurance and Federal Disability Insurance Trust Funds. (2011). *The 2011 Annual Report of the Board of Trustees of the Federal Old-Age and Survivors Insurance and Federal Disability Insurance Trust Funds*. U.S. Government Printing Office. Retrieved 11 February, 2013, from <http://www.socialsecurity.gov/OACT/TR/2011/tr2011.pdf>

7 English, A., & Lee, S. (2010, March). *Who Are Social Security Beneficiaries?* Institute for Women's Policy Research Publication. Retrieved 11 February 2013, from <http://www.iwpr.org/publications/pubs/who-are-social-security-beneficiaries-updated>

1875 Connecticut Avenue, NW | Suite 650 | Washington, DC 20009
202.986.2600 | www.NationalPartnership.org

