

Standing Up for Women & Families in 2014

A Legislative Agenda



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 access to quality, affordable health care, reproductive health and rights, policies that help women and men meet the dual demands of work and family, and fairness in the workplace.

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 2014, 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 Protects and Strengthens Social Security, Medicare and Medicaid Benefits**
- ▶ **Fair Pay for Women, Equal Workplace Accommodations for Pregnant Workers, 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) and Continue to Invest in Improving Health Care Delivery:** 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.
 - ▶ Advocate for robust implementing regulations for Section 1557 of the ACA. Section 1557 prohibits discrimination on the basis of race, color, national origin, sex, age and disability in federally funded health programs or activities – including in the health insurance market and in the provision of health services.
 - ▶ Ensure that eligible lower-income pregnant women are able to enroll in the coverage option that best suits their needs, be that Medicaid, the Basic Health Program, a subsidized Qualified Health Plan, or multiple coverage programs.
 - ▶ 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 Electronic Health Record (EHR) Incentive Program ("Meaningful Use"):** 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 EHR Incentive Program, a federal effort that gives Medicare and Medicaid health care providers financial incentives to adopt and use EHRs. 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 continuation of funding for the EHR Incentive Program at current levels.

- ▶ Advance the kind of robust health information technology that reduces health disparities; increases patients' access to their own health information while protecting their privacy; makes care more effective, coordinated and affordable; and supports women and families in identifying and achieving personal health and wellness goals.
- ▶ Ensure that women and families share equally in the benefits of electronic health data exchange regardless of race, ethnicity, language, disability status, or sexual orientation or gender identity.

- ▶ **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 vouchers 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 expansion and support Medicaid enrollment efforts.
 - ▶ Oppose policies that would block grant Medicaid, cut funds for the program, 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 and Endorsement:** 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.



- ▶ **Ensure That All Women Can Access Safe Abortion Care No Matter Where They Live:** More state-level abortion restrictions have been enacted in the past three years than in the entire previous decade.¹ These restrictions inhibit a woman's ability to make her own personal health care decisions. Access to safe abortion is increasingly dependent on a woman's zip code. Many of these restrictions also directly interfere with a woman's relationship with her health care provider by placing unnecessary restrictions on doctors, and forcing them to practice medicine based on political ideology, not their medical knowledge or the needs of their individual patients. We urge Congress and the administration to:
 - ▶ Support the *Women's Health Protection Act* (H.R. 3471/S. 1696) to improve women's ability to make personal health care decisions regardless of where they live and to repair and protect the relationship between a woman and her health care provider.
- ▶ **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 unfairly restricted through policies such as the Hyde Amendment. The ACA further restricts access to abortion coverage by requiring that health plans purchased through the health insurance marketplaces segregate 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 the *MARCH for Military Women Act* (H.R. 1389/S. 777) so that all women in the military can access abortion care in military medical facilities.
 - ▶ Support the *Peace Corps Equity Act* (S. 813) 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. Millions of women are already benefiting from this provision in the law, which will improve health outcomes and save 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.

- ▶ **Support Public Funding of Preventive Reproductive Health Services:** Investments in pregnancy prevention make women healthier and save almost \$6 for every \$1 spent.² We urge Congress and the administration to:



- ▶ Provide robust funding for family planning through Title X and Medicaid.
- ▶ Support funding for the Teen Pregnancy Prevention Initiative, the Personal Responsibility Education Program, and the Division of Adolescent and School Health to provide medically accurate information to young people about their sexual health, and 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 them Medicaid dollars – the nation’s infant and maternal mortality rates are too high, especially among Black, American Indian and Alaska 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* (H.R. 896/S. 425) to establish quality measures for maternity care and test new models of care.
- ▶ 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.

Workplace Programs

It is past time for workplaces to reflect the realities of life for 21st century 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.³ This puts the health and economic stability of these workers and their families in jeopardy, and the whole community suffers. We urge Congress and the administration to:
 - ▶ Support the *Healthy Families Act* (H.R. 1286/S. 631) 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 12 percent of U.S. workers have access to paid family leave through their employers and less than 40 percent have employer-provided, short-term disability insurance.⁴ Yet at some point, nearly all workers need time away from work to deal with a serious personal or family illness, or care for a new child. We urge Congress and the administration to:
 - ▶ Support the *Family And Medical Insurance Leave Act* (FAMILY Act) (H.R. 3712/S. 1810) which would create a national paid leave insurance program to 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)*:** The FMLA has been used by workers more than 100 million times, but more than 40 percent of workers are ineligible for the unpaid leave it provides.⁵ 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.

- ▶ **Promote Fair Pay:** Women employed 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 54 cents for every dollar paid to white, non-Latino men.⁶ Women are also nearly two-thirds of all workers who are paid the minimum wage of \$7.25 per hour, which means millions of families are living in poverty.⁷ We urge Congress and the administration to:

- ▶ Support the *Paycheck Fairness Act* (H.R. 377/S. 84) 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.
- ▶ Support the *Fair Minimum Wage Act* (H.R. 1010/S. 460) which would raise the federal minimum wage to \$10.10 per hour and the tipped minimum wage to 70 percent of the full minimum wage.

- ▶ **Protect Pregnant Workers:** Despite existing protections, pregnant workers in this country still face discrimination. 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* (H.R. 1975/S. 942) to help end pregnancy discrimination and promote the health and economic security of pregnant women, their babies, and their families.

- ▶ **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-seven million Americans,⁸ including 26.1 million adult women who are widowed, retired or face a serious disability, depend on it.⁹ No other guaranteed wage replacement program, public or private, 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. It is not more accurate and would adversely impact the 57 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:** Appointed for life, the decisions made by federal judges will have an impact on women and families for decades to come. 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, focusing on individuals who increase diversity on the federal courts and whose records demonstrate that they 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 Nash, E, et. al. (2014, January). *Laws Affecting Reproductive Health and Rights: 2013 State Policy Review*. Retrieved 6 February 2014, from <http://www.guttmacher.org/statecenter/updates/2013/statetrends42013.html>

2 Frost, J, et. al. (2013, July). *Contraceptive Needs and Services, 2010*. Retrieved 6 February 2014, from <http://www.guttmacher.org/pubs/win/contraceptive-needs-2010.pdf>

3 U.S. Bureau of Labor Statistics. (2012, September). *National Compensation Survey: Employee Benefits in the United States, March 2012 (Table 32)*. Retrieved 6 February 2014, from <http://www.bls.gov/ncs/ebs/benefits/2012/ebbl0050.pdf>

4 Ibid.

5 Abt Associates Inc. (2012, September). *Family and Medical Leave in 2012: Technical Report*. Retrieved 6 February 2014, from <http://www.dol.gov/asp/evaluation/fmla/fmla2012.htm>

6 U.S. Census Bureau. (2013). *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 6 February 2014, from http://www.census.gov/hhes/www/cpstables/032013/perinc/pinc05_000.htm

7 National Women's Law Center. (2014). *Our Issues, Minimum Wage*. Retrieved 7 February 2014, from <http://www.nwlc.org/our-issues/poverty-%2526-income-support/minimum-wage>

8 The Board of Trustees of the Federal Old-Age and Survivors Insurance and Federal Disability Insurance Trust Funds. (2013). *The 2013 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 6 February 2014, from <http://www.ssa.gov/oact/tr/2013/tr2013.pdf>

9 English, A., & Lee, S. (2010, March). *Who Are Social Security Beneficiaries?* Institute for Women's Policy Research Publication. Retrieved 6 February 2014, from <http://www.iwpr.org/publications/pubs/who-are-social-security-beneficiaries-updated>