FAMILY WELL-BEING: LEGISLATIVE PERSPECTIVES AND PRIORITIES IN 2021
WHO IS NCSL?

National bipartisan membership organization

- 7,383 legislators and over 25,000 legislative staff in all 50 states, Washington, D.C. and the US territories
- Offices in Denver, CO, and Washington, D.C.

Mission:

- Improve the quality and effectiveness of state legislatures
- Promote policy innovation and communication among state legislatures
- Ensure state legislatures a strong, cohesive voice in the federal system
STATE LEGISLATIVE CONTROL

Little changed with **state level** legislative control

- 29 Republican-controlled legislatures
- 20 Democratic-controlled legislatures
  - 19 states
  - Washington, D.C.
- 1 split legislature (Minnesota)
- 1 nonpartisan legislation (Nebraska)
UNEMPLOYMENT: UNPRECEDENTED IN ALMOST EVERY WAY
STATE FISCAL CONDITIONS

State revenues better than expected
- Some states able to restore funding cuts and expect growth
- High-income earners and online sales taxes bolstered state revenues
- Federal stimulus helped states weather the downturn

Legislative fiscal directors urging caution
- Some states still face challenges
  - Energy producing states
  - Tourism dependent states
- States still facing uncertainty
  - Vaccine rollout and return to economic normalcy
  - More federal stimulus dollars?
    - Aid for state and local governments?
STATE LEGISLATIVE TRENDS:
MATERNAL AND CHILD HEALTH

Khanh H. Nguyen, MSW, MPH
Senior Policy Specialist
NCSL Health Program
STATE LEGISLATIVE TRENDS OVERVIEW

Over 1,200 bills enacted across 50 states and D.C. since 2018

- Breastfeeding
- Child nutrition
- Childhood immunization
- Childhood obesity
- Children’s mental health
- Children’s oral health
- Infant mortality
- Maternal mental health
- Maternal mortality and morbidity
- Neonatal abstinence syndrome
- Newborn screening
- Oral health and pregnancy
- Postpartum LARC insertion
Maternal and Child Health legislative database

Maternal mortality review committees

- **Oklahoma H 2334 (2019)** – Establishes the maternal mortality review committee in order to decrease maternal mortality. Directs the committee to also review gaps in quality of care, lack of transportation and lack of financial resources.

- **Vermont H 572 (2020)** – Revises provisions of the Maternal Mortality Review Panel related to membership, reciprocal agreements, access to information, and consideration of health disparities and social determinants of health, including race and ethnicity, in maternal death reviews.
Perinatal quality collaboratives

- **Arkansas H 1441 (2019)** – Establishes a maternal and perinatal outcomes quality review committee in the State to improve maternal and perinatal outcomes.

- **Illinois H 2895 (2019)** – Directs the department of health and the Illinois Perinatal Quality Collaborative to improve birth equity, reduce peripartum racial and ethnic disparities, address provider education around leading causes of maternal death and address implicit bias in health care.

Other efforts by state agencies to address disparities

- **Louisiana H 294 (2019)** – Requests the department of health to take immediate action to address racial disparity in maternal and child health outcomes and the alarming rate of mortality for African American infants and mothers.

- **New Jersey S 1870 (2019)** – Requires the Child Fatality and Near Fatality Review Board to study racial and ethnic disparities that contribute to infant mortality, addresses disparities in breastfeeding to increase supports among racial and ethnic populations.
MATERNAL & INFANT MORTALITY

Doula access and coverage

- **Indiana S 416** (2019) – Provides that Medicaid pregnancy services may include reimbursement for doula services.
- **Virginia H 826** (2020) – Convenes a work group to evaluate the costs and benefits of amending the state plan for medical assistance services to include services by certified doulas and to recommend an appropriate reimbursement rate for those services.

Postpartum Medicaid coverage

- **Illinois S 1814** (2019) – Budget bill includes Medicaid coverage through 12 months postpartum.
- **Missouri H 1682** (2020) – Allows for pregnant women receiving mental health treatment for postpartum depression or related mental health conditions within 60 days of giving birth be eligible for Medicaid benefits for mental health services for the treatment of postpartum depression and related mental health conditions for up to 12 additional months.
MATERNAL & INFANT MORTALITY

Midwifery

- **Minnesota S 13** (2020) – Modifies scope of practice for licensed traditional midwives to include ordering standard prenatal laboratory tests and imaging.

- **Oklahoma S 1823** (2020) – Provides licensure for midwives and creates the Advisory Committee on Midwifery.

Provider training

- **California S 464** (2019) – Makes legislative findings relating to implicit bias and racial disparities in maternal mortality rates. Requires certain hospitals and birth centers to implement an implicit bias program for all health care providers involved in perinatal care of patients within those facilities.

- **Maryland H 837** (2020) – Requires the Cultural and Linguistic Health Care Professional Competency Program to establish and provide an evidence-based implicit bias training program for health care professionals involved in the perinatal care of patients on or before January 1, 2021.
ADVERSE CHILDHOOD EXPERIENCES (ACES)

Enacted ACEs Legislation
Since 2018

Injury Prevention legislative database

Main trends:
- Task force or work group to assess or respond to ACEs
- Trauma-informed services
- Behavioral health supports

ACES legislation includes childhood trauma, child adversity, toxic stress and ACEs specifically
ACES: TASK FORCE OR WORK GROUP

Assess mental health and behavioral challenges

- **Hawaii S 388 (2019)** – Establishes a task force to evaluate students exhibiting emerging or persistent behaviors or academic challenges.

Develop appropriate response guidance

- **Maine H 851 (2019)** – Directs the Commissioner of Education to convene a task force on childhood trauma response guidance in schools.
- **West Virginia H 4773 (2020)** – Creates a work group to investigate and recommend clinical screening protocols for primary health care practitioners to identify ACEs and properly treat associated health conditions.
Child welfare

- **California** A 2944 (2020) – Requires all licensed community care facilities serving children to provide trauma-informed care and utilize trauma-informed practices.

Child care and education

- **Indiana** H 1283 (2020) – Enacts a teacher preparation program curriculum with trauma-informed classroom instruction.

Education Commission of the States:

- Education Policy Approaches to Trauma-Informed Practices
- The Status of School Discipline in State Policy
- **Colorado H 1053 (2020)** – Creates the early childhood mental health consultation program to increase the number of qualified and appropriately trained early childhood mental health consultants in a variety of settings, including to support the prenatal period.

- **Utah H 264 (2018)** – Authorizes the State Board of Education to award grants for school-based mental health supports, giving priority to elementary schools with a high percentage of students exhibiting risk factors for childhood trauma or experiencing intergenerational poverty.
Massachusetts H 4808 (2020) – Includes funding for expanded programming and supports to address increased needs and to support youth who have experienced ACEs, which have been compounded by the pandemic and resulting educational and economic disruptions.

Michigan H 5396 (2020) – Appropriates funds for a community-based residency training program that addresses provider workforce training in communities with high disparities related to COVID-19 and high infant mortality rates.
Maternal And Child Health Database

- Legislative Database | Maternal and Child Health
- Legislative Database | Injury Prevention
- Podcast | CDC and States Working to Reduce Maternal Mortality
- LegisBrief | Reducing the Effects of Adverse Childhood Experiences
- LegisBrief | Removing Barriers to Breastfeeding
- Webinar Recordings | Public Health Webinar Series

- COVID-19: State Health Actions
- COVID-19 Health Policy Snapshots
- Blog | Pregnant in a Pandemic: Coronavirus Changes Birth Plans for Many
- Blog | Preliminary Data Suggest Increased Risk for Severe Illness Among Pregnant Women with COVID-19
- Blog | Childhood Vaccination Rates Remain Low Amid Pandemic
- Webinar Recording | COVID-19: Maintaining Child Vaccination Rates During a Pandemic
STATE LEGISLATIVE TRENDS:
HOUSING AND HOMELESSNESS, FAMILY ECONOMIC SECURITY,
CHILD SUPPORT AND FAMILY LAW

Shannon Saul
Research Analyst
NCSL Children & Families Program
HOUSING AND HOMELESSNESS: FOCUS ON COVID-19

1,073 bills introduced in 45 states and D.C.
193 related to emergency response
- Eviction moratoriums
- Rental assistance
- COVID-19 and homelessness
NCSL HOUSING AND HOMELESSNESS LEGISLATION DATABASE

Housing and Homelessness Legislation

- All introduced legislation
- Updated weekly
- Searchable by year, keyword, topic and status

NCSL’s Housing and Homelessness Legislation Database tracks filed bills in the 50 states, District of Columbia and U.S. territories. Numerous subtopics are grouped by (1) safe, stable, healthy and affordable housing; (2) adult and family homelessness and (3) youth homelessness.

Bill information for the current year is updated every Tuesday, Wednesday, Thursday and Friday morning. New measures are added as they are introduced or identified by NCSL staff.
FAMILY ECONOMIC SECURITY: MORE COVID-19

47 bills enacted in 8 states, D.C. and Puerto Rico
26 related to COVID-19 in 11 states and D.C.

- Extending/expanding benefits
- Focus on food access, EITC and vulnerable populations
463 bills introduced in 46 states, D.C. and Puerto Rico

24 related to COVID-19

Child Support and Family Law legislative database

- Usual topics
  - Parenting time, grandparent custody, prevention
- COVID-19: Stopped CS obligations and modified custody in some states
STATE LEGISLATIVE TRENDS: CHILD WELFARE
COVID-19 AND CHILD WELFARE

Child welfare caseworkers
- Essential workers
- Personal protective equipment
- Personal health and safety
- Modifying existing practices

Caregivers
- Recruitment and retention
- Court hearings
- Family supports

Older youth
- School closures
- Aging out
- Extension of foster care

Congregate care facilities
- Proximity of residents
- Dealing with outbreaks
- Moving away from congregate care
Focus on prevention services and programs
Emphasis on evidence-based programs and services
Reduce the use of congregate care
States have struggled with implementation

55 bills introduced in 25 states
15 bills enacted in 10 states

Family First legislative database

- Implementation: Arizona, New York
- Definitions: Colorado, Michigan
- Fiscal issues: Colorado
- Prevention planning: Colorado, Missouri, Virginia, Washington
- QRTP: Colorado, Michigan, New York, Wyoming
- Task forces/workgroups: West Virginia
STATE LEGISLATIVE TRENDS OVERVIEW

604 bills introduced
57 bills enacted in 21 states

Early Care and Education legislative database

- Child care subsidy and quality
- Early childhood financing
- Prekindergarten and school readiness
- Early childhood governance
- Prenatal, infants and toddlers
- Teachers and workforce
2020 CHILD CARE SUBSIDY AND QUALITY LEGISLATION

- Specifies requirements for background checks
  - Indiana HB 1264
  - Kentucky SB 40
  - Minnesota HF 11
  - Nebraska LB 1185
  - Utah HB 119
  - Virginia
    - HB 997/SB 675
    - SB 668
- **Colorado HB20-1053** – Aligns child care credentials
- Allocates targeted funds to the early childhood workforce to stabilize the child care field
  - **Colorado HB20-1002**
  - **Iowa HB 2485**
  - **Minnesota HF 4531/SF 4451**
  - **Virginia HB 5005**
  - **Vermont**
    - HB 742
    - SB 352
Allocates targeted funds for early childhood programs

- **Colorado** HB20-1002
- **Florida** HB 5001
- **Hawaii** HB 2543
- **Maine** HB 1402
- **Minnesota**
  - HF 4531/SF 4451
  - HF 41
- **New York** SB 7500
- **Oklahoma** HB 4153
- **Utah** HB 99
- **Virginia** HB 5005
- **Vermont** SB 352

**Maine HP 1402** – Allows communities to access existing tax increment financing to help cover costs for child care facilities

**New Mexico HB 83** – Creates new fund dedicated to early childhood education and care with an annual appropriation of $20 to 30 million
2020 PREKINDERGARTEN LEGISLATION

- **Florida** HB 5001 – Reduces class sizes
- **Minnesota** HF 33 – Prohibits the use of expulsions and exclusionary discipline practices
- **Washington** SB 6483 – Incentivizes providers to increase quality
- **Utah** HB 99 – Evaluates program effectiveness
- **North Carolina** HB 1050 – Requires school improvement plans to include early learning
2020 GOVERNANCE LEGISLATION

- **Virginia**
  - SB 578 – Reduces class sizes, creates the Office of the Children’s Ombudsman
  - HB 1012/SB 578 – Mandates a unified early childhood care and education system
- **Louisiana** HB 251 – Extended the life of its Early Childhood Care and Education Commission
- Transferred administrative authority of initiatives between state offices
  - Hawaii HB 2543
  - Washington HB 2787
- Established work groups or task forces to conduct research and to provide recommendations
  - Virginia HB 826
  - Washington HB 2556 and HB 2711
NCSL RESOURCES

- Legislative Database | Housing and Homelessness
- Legislative Database | Child Support and Family Law
- Legislative Database | Child Welfare
- Legislative Tracking | Family First
- Legislative Database | Early Care and Education (2019-Current)
- Legislative Database | Early Care and Education (2008-2018)
- Report | Early Care and Education 2020 Legislative Action Report (forthcoming)

- LegisBrief | Temporary Assistance for Needy Families: Where It Stands Today
- LegisBrief | Time off to Care: State Actions on Paid Family Leave
- State Legislatures Magazine | Child Care a Necessity for Rebuilding the Economy
- State Legislatures Magazine | Through a COVID Lens: Top Legislative Issues of 2021
- Family First Prevention Services Act
- COVID-19: Child Welfare Resources
- COVID-19 Economic Relief Bill