

LIST OF ISSUES & QUESTIONS

brought to the attention of

Pre-Session Working Group

of the CEDAW Committee for the 59th Session

by

CEDAW Coalition of Polish NGOs

The Pre-session Working Group of the CEDAW Committee for the 59th Session may wish to ask Polish Government the questions proposed by our Coalition:

Principle of Non-discrimination and Equality (Art.1-4)

Legislation

1. The Act on the implementation of some regulations of the European Union, dated December 3, 2010, concerning equal treatment, protects against discrimination based on gender only in the area of employment and access to goods and services. It does not safeguard from discrimination in all aspects of life (e.g. health care, private and family life and education). Also, in this law the intersectional discrimination is not treated as a separate form of unequal treatment. This means that instances of such discrimination are not treated by the legislator as more serious offences and, therefore, sanctions for such type of unequal treatment are not designed adequately. This contradicts the guidelines specified in General Recommendation number 28, item 18.

Does the Government plan to introduce anti-discrimination legislation which includes the definition of discrimination (including intersectional discrimination), as specified in Art. 1 CEDAW, and which protects women from discrimination in all spheres of life?

Institutional mechanisms

2. The equal treatment approach (since April 2008) resulting from the European Union regulations influenced the government's attitude towards gender equality. The institutional mechanisms are responsible for equal treatment and counteracting discrimination on diverse grounds where gender is one of 10 grounds of discrimination. As a result of such approach, there is no institutional machinery nor the National Action Plan for gender equality and women's empowerment. Considering the lack of government body acting for gender equality (as shown by the example of the previous head of equal treatment body – Plenipotentiary for Equal Treatment – where gender equality was ignored for the period of 4 years), there is a danger that this topic will be restricted or abandoned during subsequent changes in the government.

Does the government plan to establish a permanent governmental body responsible for gender equality and women's empowerment, located at the highest governmental level with a significant separate budget and mandate to influence government policies?

3. The Plenipotentiary for the Equal Treatment does not have a separate budget for the implementation of gender equality within the National Program for Equal Treatment and does not have a sufficient number of civil servants at her disposal.

Does the government plan to legally guarantee governmental funds and additional personnel for the implementation of gender equality under the National Program for Equal Treatment?

Policy

4. The gender mainstreaming has never had a legally binding nor de facto binding status, however it was included in the strategic policy documents (two National Action Plans for the period 1997-2005 based on the Beijing Platform for Action). There is neither a regulation defining the relationship between the Plenipotentiary and the Ministries nor an inter-departmental coordination structure to coordinate or stimulate gender mainstreaming in the government.

Does the government plan to develop a strategy and action plan for applying gender mainstreaming at central and local governmental level?

Data collection

5. The collection of data disaggregated by sex is a legal obligation of the Central Statistical Office. However, the statistical office does not provide the data concerning intersectional approach to women's issues.

Does the government plan to adopt a policy of collecting gender disaggregated data, allowing for intersectional approach in case of groups particularly vulnerable to discrimination (such as migrants, LBT, rural women), concerning the respective forms of discrimination (e.g. direct and indirect discrimination, sexual harassment, forms of violence) and other factors (such as age, socioeconomic status)?

Stereotypes (Art.5)

Policy

6. Since November 2013, Polish Roman Catholic Church and the right-wing circles have been conducting an intensive "anti-gender" campaign, directed against the idea of gender equality and aiming to reinforce the traditional social models of female and male roles. "Gender" is called a major threat to traditional family values. The campaign has had a negative impact on the situation of institutions, especially preschools, conducting education on gender equality: there are cases of harassment of the principals and teachers, including the hostility from local authorities. Even though it is too early to fully evaluate the results of this campaign, considering the status and power of the Church in Poland, the authorities must take decisive actions now in order to prevent its further negative consequences.¹

Is the government reacting – and how – to the „anti-gender“ campaign, launched by the hierarchy of the Roman Catholic Church in Poland, which reinforces gender stereotypes?

What kinds of actions is the government taking in order to successfully promote the equality of women and men?

¹ More information in the chapter „Equality in Education“, Alternative report

7. The number of stereotypical portrayals of sexual violence in the Polish media has increased over the past 15 years. Even though there are more articles about sexual violence, which ceases to be a taboo subject, still about a quarter of articles perpetuates myths about rape. The media underplay the particular cases of molestation and rape in many ways, including frivolous titles, intended to be funny; adopting the perspective of the person suspected or convicted of rape and expressing empathy towards them rather than the victim; perpetuating the myth that the victims are partly responsible for sexual violence, because they provoke with their looks; suggesting that the victims are partly responsible for the assault if they walk around town alone; diminishing the suffering of female sex workers who have been raped.

Is the government monitoring the occurrences of content which is discriminatory against women and the reinforcement of gender stereotypes in the media, in particular stereotypes concerning sexual violence against women, and does it intervene in such situations?

What does such monitoring entail and what is the scale of the interventions?

Education

8. Police, courts, health care professionals, and even psychologists often perpetuate stereotypes connected with rape victims. According to studies on the situation of rape, neither the police stations nor hospitals have clear procedures in this matter; furthermore, the victims are met with attitudes including undermining their credibility, testing their lifestyle (their „conduct”), investigating the circumstances of rape (wasn't the woman „provoking” the attacker?), shifting responsibility for rape to the victim („she brought it on herself”), as well as commenting (sometimes in a vulgar, sexist way) on their behaviour and looks.

What educational policy, aimed at changing gender stereotypes and spreading knowledge about their impact on violence against women, is the government conducting among public services and institutions assisting women who experience sexual violence?

9. The government's actions in the area as sensitive as the stereotypes' impact on violence, and in particular sexual violence, are more than inadequate. There has never been a nationwide campaign in Poland devoted to the issue of rapes and to the problem of shifting guilt and responsibility from perpetrators to the victim. According to studies and reports, many women in Poland are still convinced that they deserve sexual violence and they themselves are responsible for it, because they dressed „provocatively” or were inebriated. Male attitudes and behaviours also constitute a part of the violence problem. Gender stereotypes and their impact on violence against women and girls are not taken into consideration in educational and training programs. They are reinforced by gender insensitive school education. In the media, women's point of view is rarely noted or is often simply depreciated, also in matters of sexual violence against women.

Is the government conducting a long-term educational policy aimed at changing gender stereotypes in the society and raising awareness of their impact on violence against women, and if so, what is this policy?

(e.g. training courses for journalists, including these issues in educational curricula and training programs, organizing campaigns for the society in general)

Trafficking in Women and Sexual Exploitation of Women (Art.6)

Institutional mechanism

10. Despite of NGO (Polish La Strada Foundation) long time lobbying for a National Rapporteur, an independent body with the mandate to gather and disseminate information in order to highlight problems and recommend solutions for combating trafficking in persons, it seems to be that governmental bodies are still not ready to accept this institution.

Does the government plan to take actions in order to establish an office of the National Rapporteur on Trafficking who should be required to present an annual report to the Government?

Policy

11. The lack of procedure for obligatory identification is one of the reasons why many potential victims are not identified and thus do not receive proper help or even worse, are deported without being given opportunity to be interviewed about the crime that was done to them. Many police and border guard officers still cannot determine whether they are dealing with a victim or cannot ask the proper identifying questions. It is also possible that the victims of human trafficking end up in a detention centre (so-called deportation jail) from which they are sent back to their country of origin without being identified. Such a practice puts them at risk of facing the perpetrators again – in their country of origin – and in danger (such as becoming a victim of human trafficking again). There exist no appeal procedures.

Does the government plan to introduce obligatory identification procedure for the presumed victims of human trafficking (especially those being transferred to locked facilities), which would also include an appeal procedure?

Women's Participation in Political Life (Art. 7)

Legislation

12. Since 2011 an electoral list of candidates for any political party has to include at least 35% of either gender. The governmental report lacks evaluation of the true effectiveness of the "quota act" in really increasing women's representation in the Lower House of the Polish Parliament (the percentage of female parliamentarians only increased by 4%).

Does the Government plan to increase the participation of women in politics e.g. by introducing the parity and "zipper system" (placing women and men in alternate order on the electoral lists)?

Policy

13. The State Report does not cover the issue of women's participation on the boards of publicly listed companies. In 2010 the number of women on the boards of publicly listed companies amounted to 11,8%, which in comparison to the number of female university graduates in Poland (65% of all graduates) is very low.

Has the Government noticed the issue of the extremely low women's participation on the boards of publicly listed companies and has it taken any action in order to increase it?

Equality in Education (Art. 10)

Policy

14. Educational system in Poland is “gender insensitive” and reinforces gender stereotypes. There exists a significant lack of interest in implementing gender equality as a principle in the educational system, e.g. incorporating the gender perspective in school curricula as well as in the teacher training and continuing teacher education.

How does the Government plan to mainstream gender perspective into the system of education?

15. The Ministry of Education failed to prepare any special standards concerning the principle of non-discrimination in textbooks. As a result, the textbooks are still full of gender stereotypes (e.g. when a family is pictured in a textbook, in most cases the picture is conventional and traditional, in accordance with the perspective of the Catholic Church), women’s contribution to human civilization as well as women’s history are neglected. The state report omits this issue.

What are the mechanisms guaranteeing the assessment of curricula and textbooks from the perspective of gender equality and the principle of representation?

Does the government plan to verify the currently used textbooks with regard to gender equality perspective and the principle of representation?

16. The State report doesn’t recognize the phenomenon of gender-based violence and violence related to sexual orientation at schools and no official research has ever been conducted to measure the extent of this phenomenon. Also, this issue is completely absent from the largest campaign addressing violence at school, the program “School free from Violence”.

Does the government recognize the issue of gender-based violence and violence related to sexual orientation at schools and what is the governmental strategy to prevent such violence?

Education

17. In Polish schools sex education constitutes part of the course called „Preparation for Family Life” and is not perceived in terms of sexual and reproductive health, but in terms of family values. The terms “sexual and reproductive health”, “sexual and reproductive rights” do not occur in the curriculum – or in the state report. Additionally, the governmental report mentions regulations concerning sex education in schools but neglects the matters of their practical implementation, e.g. the preparation of teachers and assessment of textbooks (which, according to NGOs, are full of gender stereotypes).

What actions is the government taking to introduce compulsory sex education into school curricula, consistent with the recommendations of WHO?

Employment: legal and institutional measures for eliminating gender-based discrimination (Art.11)

Policy

18. In its report the Government focuses mainly on exposing specific problems with regard to the certain forms of discrimination of women in the employment area, such as feminization of certain professions, gender pay gap and protection of pregnant women in the workplace. However there is no information on how this discrimination is or will be addressed.

What is the government's long-term strategy to effectively combat these kind of inequalities?

Monitoring and Education

19. The Government does not carry out any detailed monitoring of the cases of discrimination in employment. No statistics stipulating the respective forms of discrimination (e.g. direct and indirect discrimination, harassment, fostering discrimination) are available. This shows lack of commitment of the Government to raising awareness and preventing discrimination, which in turn has an impact on the quality and quantity of the court cases, as there is a high level of gender prejudice and stereotypes among Polish judges.

Has the Government been carrying out comprehensive monitoring of the cases of discrimination in employment, including collecting data concerning the respective forms of discrimination (e.g. direct and indirect discrimination, sexual harassment)? Does the Government plan to introduce systematic trainings for labour law judges on gender equality in the field of employment?

Legislation

20. Polish law contains provisions allowing organization/associations/legal entities to instigate legal proceedings on behalf of victims of discrimination. However, there is still need for:
- enabling the abovementioned entities to instigate proceedings even if the victim is not individualized (so-called *actio popularis*); that is when unlawful activities take place and no specific individual can be singled out as experiencing them (e.g. job ads published by a particular employer which for a long period of time have contained discriminatory criteria of recruitment and there is no particular individual who would be willing to instigate proceedings in court).
 - introducing the law permitting so-called test situation as evidence to prove discrimination. The test situations allow to check how persons exhibiting particular features would be treated in a given situation as opposed to persons not exhibiting these features. Test situations is a set-up and consist of pairs of persons who differ with regard to the feature which may result in discrimination (for example, gender) being directed to a work establishment suspected of discriminatory practices. If, from among the pair of testers, the person possessing the given feature is treated worse than the person who does not possess it, and there exists no other justification of the differential treatment, then it is concluded that discrimination took place.

Has the Government taken any steps in order to introduce into domestic law the possibility of instigating public interest proceedings (*actio popularis*) as well as using test situations for collecting evidence for court proceedings in cases of discrimination, in order to increase the efficiency of anti-discrimination legislation?

Labour market (Art.11)

Policy

21. The governmental report does not touch upon the issues of major changes and trends of the labour market, such as precarious work, working poor, „pushing for self-employment”, which affect women’s situation on the labour market. The dangers in the form of the worsening situation of women on the labour market have been publicly commented on by the women’s movement (e.g. Polish Women’s Solidarity March) and trade unions.

Is the government aware of the increasing phenomenon of precarious work and working poor among women?

What systemic solutions, aimed at counteracting the increasing poverty among working women in the low paid feminized sectors is the government planning to introduce?

22. One of the biggest gaps between men’s and women’s salary is among people with basic vocational and primary education and amounts to over 30%. This is particularly alarming for women with the lowest education which means the lowest earnings. The basic vocational education addressed to women neither corresponds to the current challenges in the labour market, nor does it lead to a salary which could contribute to reducing the huge gap in the income between women and men and guarantee a living wage. The education opportunities at this level are much higher for men than for women and offer a much better job opportunity and remuneration for men.

Does the government plan to develop and implement policy to address the wage gap between women and men, particularly among low paid feminized employment sectors?

Does the government plan to improve women’s access to Basic Vocational Training by adjusting it to the current needs and requirements of the labour market, particularly in professions which secure an adequate remuneration equal to men’s?

Monitoring

23. The economic situation of women and their social safety are negatively influenced by the increasing frequency of replacing work contracts signed in accordance with the Labour Code with civil-law agreements. Such forms of employment affect women to a greater extent than men. They do not provide women with the rights related to pregnancy, maternity and parenthood which are guaranteed by the labour contracts. The lack of security, inevitably related to precarious work, is an additional factor that limits women’s reproductive choices. In a long-term perspective the work on the basis of civil agreements will contribute to the poor material situation of older women due to the lower amount of pension contribution deduced from the total earnings.

Does the government plan to monitor the impact of precarious work contracts on women (e.g. maternity and parental leaves, pension, disability and other social benefits) with special attention given to feminized sectors?

Child care institutions (Art. 11)

Policy/monitoring

24. There is an impressive 20% improvement in access to various forms of preschool education during the last few years. The number of children of ages 3-5 attending public preschools in 2012/2013 was 71% (compared to 32,6% in 2007). However, needs are still unmet. There is a striking disproportion in access to public preschool facilities between cities and rural areas. Outside large cities over half of the children have no access to preschool education, and the number of preschools in rural areas has decreased dramatically - by 13,5% - over the past few years.

What systemic solutions is the government planning to implement in order to ensure access to preschool care for all children, given the vast inequality of access to childcare between rural and urban areas, and between rich and poor areas in general?

Does the government plan to monitor the implementation of the Act on preschools, due to the large variety in development of childcare centres in Poland?

Sexual and Reproductive Health (Art.12)

Policy

25. Polish law on abortion is one of the most restrictive in Europe. In addition, the extremely limited access to lawful pregnancy termination makes the law even more restrictive in practice than on paper. Access to lawful abortion on therapeutic and criminal grounds is practically nonexistent. According to women's NGOs the number of illegal abortions might reach circa 150.000 or more abortions per year. The access to illegal services, their safety and quality, depend very much on the economic situation of women. Despite the repeated appeals issued by a number of human rights bodies to Poland, including CEDAW, the authorities have never investigated the scope, causes and impact that illegal abortions have on women's health and life. Further, no steps were taken to improve access to lawful abortion.

What is the impact of the anti-abortion law on the lives and health of women? What steps have been taken to assess this impact?

What measures did the Government undertake to improve women's access to lawful abortion and eliminate the barriers that push women entitled to it into resorting to illegal, unsafe abortion?

26. The "conscientious clause" which allows the individual doctors to refrain from providing abortion is seriously abused and even invoked by health institutions as a whole. Moreover, it is usually applied to deny access to reproductive health services that only women need, mainly to abortion but also to the other services (e.g. emergency contraception). From 2005 till 2008 the Polish law included the regulation of Minister of Health which obliged a hospital to subcontract the services that were denied by the staff due to conscientious objection. Moreover, it allowed the National Health Fund to dissolve agreement with a hospital in case the abovementioned provision was breached. This regulation was withdrawn by the Minister of Health in May 2008. Since then there has been no instrument to keep the authorities accountable for implementing women's rights to lawful abortion.

Why was the regulation of 2005 withdrawn?

What measures were taken to protect women from the consequences of the “conscientious clause” that is being used/overused in health facilities to deny access to reproductive health services?

27. Women in Poland have limited capacity to control their fertility. The main barrier to modern contraception is of financial nature since only one contraceptive pill (registered under four names) is refunded (partly). The emergency contraception is not refunded at all and is sold, like other hormonal contraceptives, with prescription, which makes it difficult to obtain given the short time limit and the doctors' frequent refusal to prescribe it. Due to the law of 1932 sterilization is being interpreted as illegal for both women and men and is not accessible as a method of fertility control. There are no sexuality-related counselling services for young people available in Poland nor specialized medical services. The requirement of parental consent constitutes a serious barrier for girls and young women to accessing reproductive health services, including contraception.

What is the State's policy on family planning and what measures have been taken to make access to modern contraception and relevant knowledge widely available and affordable?

How does the State support girls and young women who want to prevent unwanted pregnancy?

What is the status of sterilization as a voluntary birth control method and what steps have been taken to make it accessible to women who do not want to be pregnant again?

Education

28. The school curriculum provides for realization of the “Preparation for Family Life”. Nevertheless, it is not obligatory but facultative. The content of the teaching is often very problematic and often does not conform to scientific standards. The vast majority of textbooks are not objective but present sexuality from the point of view of Catholic teaching (e.g. “masturbation causes infertility” or “contraception is a denial of a true love”). Such misinformation has consequences for young people in terms of their vulnerability to STIs as well as teenage pregnancy. Furthermore, these textbooks strongly stereotype women, promote traditional model of family roles and present strong anti-choice discourse.

What steps have been taken by the State to guarantee that girls and boys are provided in schools with comprehensive sexuality education consistent with international standards?

Rural women (Art.14)

Policy

29. Rural women, more than other social groups, are at risk of poverty due to their place of residence and their gender. This risk is caused by low income as well as limited access to education, health care, social services, sub-standard living and sanitary conditions, as well as due to the very traditional attitude towards the social role of women (as carers and farm workers). The governmental report only mentions poverty, the most important social issue concerning rural women, in general terms, without discussing the specific character of

women's poverty. The report fails to notice the poverty of older women. At no point does it acknowledge the phenomenon of cross discrimination nor does it conduct an intersectional analysis (e.g. age, economic status, religious denomination or lack thereof, sexual orientation). It also does not take into consideration important social issues concerning women from rural areas, such as violence. Rural women are not addressed by any assistance programs implemented by state or local governments.

Does the government plan to develop and implement a plan of action for eliminating rural women's poverty with special focus on old women, and to implement programs combating violence against rural women?

Violence against Women (GR 19)

Legislation

30. Discussion concerning the signing of the Council of Europe *Convention on preventing and combating violence against women and domestic violence* took many months, due to harsh criticism on the part of right-wing and Catholic circles who disagreed with the Convention's clauses related to combating gender stereotypes. The Convention was signed in December 2012, but its ratification is still being postponed, which worries Civil Society Organizations. According to recent news, the Upper House of the Polish Parliament will vote on the ratification of the Convention in February/March 2014.

Did Poland ratify the Council of Europe Convention on preventing and combating violence against women and domestic violence?

Policy

31. In the National Action Plan for Counteracting Domestic Violence there are no concepts of „gender-based violence” or „violence against women”.

What guarantees have been made for the implementation of the National Action Plan for Counteracting Domestic Violence to account for and properly address women's needs?

Does the Government plan to secure adequate resources including the budget for counteracting violence against women?

Does the Government intend to develop a network of Specialized Support Centres for Victims of Domestic Violence, including shelters for female victims of violence?

Data collection and monitoring

32. According to estimations made by non-governmental organizations, official statistics concerning violence against women are grossly underestimated and do not reflect the scale of the phenomenon. Data concerning victims of domestic violence makes it impossible to establish how many women have been harmed in the particular types of crimes (victims of depredation, bodily harm or menacing), including the number of underage women who experienced domestic violence

Does the government have a long-term strategy aimed at increasing the detection of the instances of violence against women?

Is the government planning to take into account the “gender” variable during the collection of data concerning the particular types of crimes as well as underage victims of domestic violence?

Migrant women

Policy

33. Migrant women experience double discrimination on the labour market: as women and as foreigners, so they are forced to accept worse conditions of employment and lower wages. The necessity to maintain employment – usually the legalization of their stay depends on continuity of employment – makes these women fall prey to exploitation and harassment, and even violence in the workplace.

Access to free health care for women attempting to obtain international protection is limited through organizational barriers, language and cultural barriers. Undocumented migrant women cannot access free of charge public health care even during pregnancy, labour and the postpartum period (which is the right of every female Polish citizen). In practice, undocumented female migrants approach the public health care system only in the most dire circumstances, fearing that their status would be revealed and they would face deportation.

Does the government plan to take actions in order to facilitate the legalization procedure of female migrants who have terminated the employment relationship as a result of exploitation or sexual harassment in the workplace?

Does the Government plan to enable access to state-funded health care for migrant women and female asylum-seekers during pregnancy, labour and the postpartum period and for migrant victims of domestic violence, regardless of the legality of their residence in Poland and their participation in the public health insurance system?

Women with Disabilities

34. The situation of women with disabilities is doubly difficult because they are at risk of discrimination on the basis of their disability and of their gender. The governmental report lists actions aiming for the professional activation of women with disabilities, although despite those actions the activity rate among women with disabilities is still extremely low (27% in the 3rd quarter of 2013).

The report neglects to mention the issue of the difficult access to health care, which manifests through architectural and communications barriers combined with an almost total lack of information about the particular needs of women with different kinds of disabilities and the ways of supporting patients with disabilities among medical personnel.

The report also lacks information about the scale of violence against women with disabilities who, due to being unemployed, dependent on the perpetrator of violence and having limited access to information and support institutions are particularly vulnerable, and about actions taken in order to reduce the scale of this violence.

What is the strategy for removing architectural and communications barriers which limit the access of women with disabilities to labour market, healthcare and support institutions?

Is the government conducting actions aimed at sensitizing medical professionals to the particular needs of women with different types of disabilities?

Does the government plan to examine the scale of violence against women with disabilities and counteract it, as well as adapt centres providing aid and support for the violence victims to the needs of women with disabilities?

Lesbians and Bisexual women

Policy/data collection/monitoring

35. The governmental report neglects to address the problem of lesbians and bisexual women, who are particularly vulnerable to intersectional discrimination – based on their gender and sexual orientation and therefore suffer the most marginalization and silent prejudice. Moreover, they are vulnerable to specific forms of violence (e.g. hate speech, “reparative rape”). Social expectation that they will lead ‘heterosexual’ lives discriminates against them as unproductive members of the society. Data considering lesbians are not available from any public source and data collected by NGOs are scarce.

Is the government conducting studies and monitoring the situation of lesbians and bisexual women?

Does the government include information concerning these groups of women in sex education curricula and do its goals include combating stereotypes, discrimination, and counteracting violence against lesbians and bisexual women?

Legislation

36. Polish law does not provide any regulations that concern same-sex partnerships. All the rights concerning couples are reserved for marriages (e.g. the right to obtain information and make decisions for the partner when life or health are threatened, the right to joint taxation and joint marital property). This is a big disadvantage for all same-sex couples whose relationships are not legally recognized. The lack of such legislation is certainly a violation of right to family life of same-sex couples raising children. In Polish reality this issue concerns especially lesbians, because due to court practice of assigning custody to child’s mother when parents divorce and no adoption rights for same-sex couples, gay men have very few possibilities to raise children.

Does the government plan to introduce legislative regulations concerning same-sex partnerships?

Trans People

Legislation

37. There is still no actual law on gender recognition in Poland. The process itself requires a civil court case which leads to several complications, especially with the fact that the parents of an adult person are involved in the process and may sometimes delay the court decision on changing the gender marker. Also, there is a lack of state funding for gender reassignment procedures (surgeries, hormone therapy). In late 2013 the government presented its own outline of a gender recognition law that was criticized by NGOs, as consultations were held mainly with sexologists, whose knowledge and practice still follow procedures established in

the 1980s, and no human rights organization has been invited to partake in the process.

Does the government plan to introduce a Gender Recognition Act in order to stop the current complicated court practice? Will the Civil Society Organizations specializing in the needs of trans people be invited to take part in the process? Does the Government plan to instate gender reassignment procedures to be covered by state health insurance?