

June 10, 2015

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## Dear Working Group Member,

Yesterday, Senator Murray (D-WA) introduced a bill called the Affordability Is Access Act. The main purpose of this bill is to expand the contraceptive coverage rules under the health care law so that private insurers would be required to cover over-the-counter (OTC) birth control pills without a prescription.

Currently, most private health insurance plans must cover all US Food and Drug Administration (FDA)-approved methods of contraception for women. This includes OTC birth control methods like emergency contraception. However, insurers are allowed to make people get a prescription for OTC methods in order for them to be covered.

The Affordability Is Access Act would remove that prescription requirement, so that an OTC pill would be covered right off the shelf. The Act would also ensure that if a health insurance company does not comply, appropriate enforcement actions would be available.

The Affordability Is Access Act contains language to make sure that the FDA (and not politicians) would remain the sole authority responsible for deciding whether, and how, a birth control pill would become available over-the-counter. Finally, the Act stipulates that stores that sell over-the-counter birth control pills are not allowed to interfere with people who try to access them.

There are several advantages to this bill compared to the one introduced last month by Senator Ayotte (R-NH) and Senator Gardner (R-CO). First, Senator Murray's bill would extend insurance coverage for OTC oral contraceptives

without a prescription and help low-income women access the method without cost sharing. The Republican proposal to let people use pretax dollars in medical or flexible savings accounts to purchase OTC medications would likely have much less impact on controlling the cost of the product. In addition, the new bill stresses the independence of the FDA, while the Republican bill interferes in the regulatory process by giving incentives only to companies that aim to bring an OTC pill to market for women age 18 and older. This age restriction is not based on medical evidence, and it would make it harder for individuals without a government-issued ID to access the product.

[Free the Pill](#) has developed two new resources that provide information about this bill and the Senate bill introduced on May 21st to expedite an OTC switch for an OC. Please feel free to share these with your networks:

- Q&A on the Allowing Greater Access to Safe and Effective Contraception Act:  
<http://bit.ly/1GvpXzB>
- Summary of the Affordability Is Access Act:  
<http://bit.ly/1GsHuGD>

As always, please let me know if you have any questions, comments, or concerns.

Thanks,

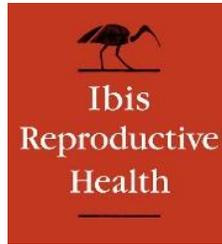


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## About us

The Oral Contraceptives (OCs) Over-the-Counter (OTC) Working Group is an informal coalition of reproductive health and rights organizations, nonprofit research and advocacy groups, university-based researchers, and prominent clinicians who share an interest in women's health and access to contraception. Our goal is to evaluate objectively the risks and benefits of demedicalizing contraceptive care, with an eye toward improving access to OCs and potentially other hormonal contraceptive methods by making them available without a prescription.

The working group is coordinated by Ibis Reproductive Health.



[www.ibisreproductivehealth.org](http://www.ibisreproductivehealth.org)

**Contact us**

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