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Federal legislation aims to eliminate barriers to access to over-the-counter oral contraception

Re-introduction of Affordability is Access Act follows unanimous FDA expert committee vote in favor of removing Rx requirement for Opill

WASHINGTON — In anticipation of an FDA approval of the first oral contraception to be available over-the-counter, the [Contraceptive Access Initiative](#) praised legislation that would expand affordability and advance equitable access to OTC contraceptive products.

The [Affordability is Access Act](#), sponsored by Senator Patty Murray (D-WA), Representative Ayanna Pressley (D-MA), and other congressional leaders, would expand insurance coverage to contraception available over-the-counter, including oral contraceptives when such products are approved by FDA for OTC use.

With an FDA approval expected at any time, the urgency for ensuring affordability for over-the-counter contraceptives is escalating. A new national [poll](#) found that “78% of voters thought it was important that the U.S. make access to the pill and other contraceptives more easily available.”

“Across party lines, voters overwhelmingly support eliminating needless barriers for people seeking to prevent pregnancy,” CAI Co-founder Dana Singiser said. “More than six decades of safety data about the pill and a national reproductive health crisis should motivate the FDA to swiftly act on the two oral contraceptive pills currently under review for availability over-the-counter. We applaud Senator Murray and Representative Pressley’s leadership on ensuring that everyone has the means to access this safe and highly effective contraception, and ensuring that insurance must cover OTC contraceptive products.”

The Affordability is Access Act urges the FDA to approve any oral contraceptive pill that meets the FDA standards for over-the-counter use to be approved “without delay”, and makes clear that the Affordable Care Act’s requirement that contraception be covered without cost-sharing “includes coverage of over-the-counter contraceptive methods approved by the Food and Drug Administration, even if the enrollee does not have a prescription for the contraceptive.” That means that when a pill is available OTC, it will be covered by insurance, as well as emergency contraception and condoms.

In addition to its work with [Perrigo](#), the manufacturer of Opill, the FDA is working with [Cadence OTC](#) on an over-the-counter application for the most commonly taken birth control pill — a combined estrogen-and-progestin pill taken by 95% of pill users. Cadence OTC has not yet completed its final testing on its product, [Zena](#).

Resources

- [ThePillOTC.org](#) (facts, history, supporters, opponents)
- [2023 poll shows widespread bipartisan support for the pill OTC](#)
- [FAQs](#)
- [Medical experts](#) available for interviews
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White Papers:

- [The FDA's 10-month Clock to Weigh OTC Status for Oral Contraceptives](#)
- [The Federal Government Must Clarify that Private Health Plans Must Cover OTC Contraceptives Without a Prescription](#)
- [The Food and Drug Administration Should Approve OTC Oral Contraception Without an Age Restriction](#)

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The nonprofit [Contraceptive Access Initiative](#) (CAI) advocates for increasing access to hormonal contraception over the counter, free from stigma, bias and coercion. Follow CAI on Twitter [@ThePillOTC](#) and on [LinkedIn](#).