

Sample Talking Points for Advocates

Below are talking points for use—and refinement—by advocates:

- Decisions about emergency contraception are time-sensitive and can be overwhelming.
- Today, many people go to the pharmacy and buy Plan B One-Step[®] simply because it is the easiest to get—and often end up paying out of pocket— but Plan B One-Step[®] isn't right for everyone and there are other options available that need to be made more accessible.
- There are multiple types of pills that can be taken as emergency contraception.¹
 - The over-the-counter medication, Plan B One-Step[®], reduces the risk of unintended pregnancy if taken within 72 hours of unprotected sex.² Overall, Plan B One-Step[®] emergency contraception reduces pregnancy risk by 88% and prevents 95% of pregnancies if taken within 24 hours. Plan B One-Step[®] has stringent weight and BMI (body mass index) limits, above which efficacy is diminished. Plan B One-Step[®] is only recommended for people under 165 pounds and with a BMI of 25 or less.
 - A newer and equally safe drug, ella[®], is available by prescription only.³ ella[®] is significantly more effective in preventing unintended pregnancy generally, works up to 5 days after unprotected sex, and is especially more effective for people who weigh more than 165 pounds, up to 195 pounds⁴
 - There are additional reasons why an individual might need ella[®] contraception as opposed to Plan B One-Step[®]. For example, ella[®] is more effective than Plan B One-Step[®] around the time of ovulation. Timing may also be a factor if emergency contraception is needed on the weekend, when many health care practices are less likely to be open.
- Emergency contraception is most effective in preventing unintended pregnancy when taken immediately following unprotected sex. Therefore, people often make the decision to buy emergency contraception over the counter, rather than waiting to get a prescription from a doctor. This limits their options to the older, less effective form of emergency contraception that may not be right for them.
- It's called emergency contraception for a reason. It's unreasonable and unrealistic to expect people to set up an appointment, speak with their doctor, and get the prescription

¹ Emergency contraception pills are distinct from abortifacients. Where abortifacients terminate a pregnancy already established, emergency contraception works by preventing a pregnancy before it begins.

² Plan B One-Step[®]: Full Prescribing Information, FDA (updated 2009), available at https://www.accessdata.fda.gov/drugsatfda_docs/label/2009/021998lbl.pdf.

³ ella[®] is just as safe as Plan B One-Step[®], but is currently available by prescription only simply by virtue of being newer. Clinical trials actually indicate less severe side effects, indicating there is no reason why pharmacists should not be able to prescribe and dispense ella[®] pursuant to a standing order, just like Plan B. See ella[®] Full Prescribing Information, *infra* note 4, compared to Plan B One-Step[®] Full Prescribing Information, *supra* note 2.

⁴ ella[®]: Full Prescribing Information, FDA (2010), available at https://www.accessdata.fda.gov/drugsatfda_docs/label/2010/022474s000lbl.pdf.

they need in a timely enough manner to ensure the medication is most effective. The way we dispense this care needs to align with the needs of those who access it.

- **Supporting [Bill Name and Designation] will ensure that [State] residents can get the emergency contraception that is right for them in a timely manner.**