# Free the Pill

## Ensuring affordability of over-the-counter birth control pills

After two decades of research, advocacy, and movement-building led by the <u>Free the Pill coalition</u>, in July 2023, the United States Food and Drug Administration (FDA) <u>approved Opill as the first over-the-counter (OTC)</u>, <u>daily birth control pill</u> in the country! Opill is now available for sale online and in stores nationwide. Now, we must ensure that it's affordable and accessible to everyone who wants or needs it.

#### **Economic barriers to access**

Contraceptive access is an economic justice issue. Birth control pills are an important part of the full range of sexual and reproductive health care, and having Opill available OTC will make it easier for people to get the contraceptive care they want and need. But accessing birth control pills OTC can still have costs for users. And due to systemic inequities, structural racism, and other forms of discrimination and oppression, these costs disproportionately affect people of color and Indigenous peoples, immigrants, young people, LGBTQ+ folks, and people working to make ends meet—creating barriers to accessing the care they need, when they need it. That's why it is crucial that OTC birth control pills be priced affordably and fully covered by insurance. We need birth control options for everyone, whoever they are, wherever they live, however much money they make.

## Insurance coverage

Since 2010, the *Affordable Care Act* (ACA) has helped millions access reproductive care; however, many still face barriers. This is because, under current federal guidance, insurers can—and often do—require a prescription to obtain insurance coverage for birth control pills. Ensuring that OTC birth control is covered by insurance without a prescription would improve access for millions of people with private insurance. This could be done in a few ways:

- The Biden Administration can issue new guidance clarifying that insurers must cover OTC birth control, without requiring a prescription or cost-sharing. Currently, under the ACA, most private health insurance plans are required to cover all FDA approved methods of contraception without cost-sharing (e.g., deductible, copayment), but coverage without a prescription must also be required to ensure access to OTC products. While states can also enact laws to require coverage of OTC birth control—as eight states have already done—some health plans are exempt from state requirements and federal guidance is needed for federally regulated plans.
- Additionally, Congress can act to remove the prescription requirement for coverage. The
   <u>Affordability is Access Act</u>, reintroduced in 2023, would remove the prescription requirement
   and prohibit retailers that sell OTC birth control pills from interfering with people who try to
   purchase them. Furthermore, it would ensure any FDA-approved OTC birth control product
   is covered by private insurance without requiring a prescription.

Private insurance plans can also change their policies to cover OTC birth control without a
prescription. To help insurance plans make this change, pharmacy benefit managers could
add Opill to their preventative services lists to allow for zero cost coverage. CVS Caremark,
one of the largest pharmacy benefits, already took this step in April 2024.

For people without private insurance, the Biden Administration must ensure that public insurance and federally-supported health programs fully cover and support affordable access to OTC birth control without a prescription or cost sharing. Priorities include:

- Mandating that Medicaid and the Children's Health Insurance Program, which provide health insurance coverage to low-income families, fully cover OTC products.
- Requiring the Indian Health Service, Veterans Health Administration, and other federal
  agencies and systems to make OTC birth control available at low or no cost to patients.

### Retail price and cost assistance

Beyond insurance coverage, it is critical that OTC birth control pills are priced affordably so that people who do not have or cannot use insurance can access them. In the United States, health insurance is often tied to employment, meaning the retail price of OTC birth control pills could put them out of reach for people who don't have employer-based insurance. Research shows that women with lower incomes, women of color, and women who do not hold US citizenship, as well as transgender individuals, are more likely to be uninsured.

The suggested retail price for Opill is \$19.99 per one-month pack, \$49.99 for a 3-month pack, and \$89.99 for a 6-month pack. However, each retailer can set their own price for Opill. At the suggested prices, many people may not be able to afford Opill and may go without access to the most effective form of OTC contraception due to cost barriers. Research and polling show that half of adult and teen respondents interested in using OTC birth control pills would be able to pay \$10 or less per month for the OTC birth control pills. This includes 11% who could not pay anything at all. Due to systemic racism, economic inequities, and other forms of oppression, any cost for birth control pills will be too high for some. A low or no out-of-pocket cost would have the greatest impact on expanding access to this contraceptive method for people of all incomes across the country. For those who are unable to pay the price, Opill has a consumer assistance program which allows qualified users to receive the product at a reduced or no cost.

#### **About Free the Pill**

Free the Pill, operated by <u>Ibis Reproductive Health</u>, is a campaign to educate and engage in support of over-the-counter (OTC) birth control pills in the United States that are affordable, fully covered by insurance, available to people of all ages and accessible to everyone who needs it in the United States. Campaign activities are <u>driven by a coalition</u> of more than 200 reproductive health, rights, and justice organizations, research and advocacy groups, youth activists, health care providers, medical and health professional associations, and other professionals, who share a commitment to ensuring more equitable access to safe, effective, and affordable birth control.