Free the Pill

Ensuring affordability of over-the-counter birth control pills

After nearly two decades of research, advocacy, and movement-building by the <u>Free the Pill</u> <u>coalition</u>, in July 2023, the United States Food and Drug Administration (FDA) <u>approved Opill as</u> <u>the first over-the-counter (OTC)</u>, <u>daily birth control pill</u> in the country! 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. Bringing Opill over the counter is a huge first step, but ensuring Opill—and all future OTC birth control pills—are fully covered by insurance and affordable will help reduce many of the barriers to access, especially for those who face economic inequities.

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. Currently, under the ACA, most private health insurance plans are <u>required to cover contraception without cost-sharing</u> (e.g., deductible, copayment), but coverage of OTC products is not explicitly required. While states can also enact laws to require coverage of OTC birth control—as <u>eight</u> <u>states</u> have already done—some health plans are exempt from state requirements.
- Alternatively, 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. This would expand access for people enrolled in private insurance plans.

For people without private insurance, the Biden Administration must ensure that public insurance and federally-supported health programs cover OTC birth control. 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 make OTC birth control available at low or no cost to patients.

Retail price

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.

<u>Research</u> and <u>polling</u> 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 product. This includes 11% who could not pay anything at all. 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.

Ensuring access

To create a more just and equitable world, we must improve health policies, expand access to health care, and ensure all people can make decisions about their health and lives with dignity and respect. Ensuring OTC birth control pills are affordable, fully covered by insurance, and accessible to people of all ages is critical to achieving the vision of the world we seek.

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-thecounter (OTC) birth control pills in the United States that are affordable, fully covered by insurance, and available to people of all ages. Campaign activities are driven by a coalition 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 have been working since 2004 to build the evidence in support of OTC birth control pills in the United States.

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