



Emergency Contraception
Get it *before* you need it!

Feminist Majority Foundation's Emergency Contraception Campaign

Emergency Contraception Over-The-Counter & Pharmacy Access

www.prescribechoice.org

Last November, thousands of EC activists sent petitions to the FDA and hosted activities in support of over-the-counter access to emergency contraception (EC OTC). In late summer 2004, Barr Laboratories submitted an application for the OTC status of Plan B® with a novel packaging requirement—the “dual label.” If approved under this requirement, Plan B® would be available OTC only for women 17 and older. Younger women would still need a prescription to purchase emergency contraception. This is a policy many public health and women’s rights advocates find completely unacceptable because it prevents responsible yet vulnerable young women from accessing a product that has the potential to powerfully shape their future.

This was the second application from Barr. The first, without a dual label, received a non-approvable letter in May 2004, with the FDA citing that there was not enough research on the effects of EC on women under the age of 16. This decision was made **despite the fact that the FDA’s own expert advisory panel deemed the drug to be safe and effective and voted 23-4 in favor of making Plan B® available over-the-counter (OTC).**

Unfortunately, the FDA’s decision on the newest application for EC OTC, scheduled for January 2005, was delayed until September 1, 2005, and has now been extended indefinitely. Many advocates and health care experts familiar with this issue and the FDA process feel that politics is trumping science, and that this decision will be made purely on political grounds, in accordance with an anti-reproductive rights, right-wing agenda. Right-wing groups and anti-reproductive rights members of Congress have been pressuring the FDA to reject approval of over-the-counter status, but scientific research has overwhelmingly demonstrated the safety, efficacy, and need for emergency contraception over-the-counter **for all women.** We cannot allow anti-reproductive rights extremists to get away with taking this women’s health and public health breakthrough product away from women seeking to avoid unintended pregnancy.

Since the most recent extension of the delay in September, two FDA officials (Dr. Frank Davidoff and Dr. Susan Wood) have resigned over delays in approving the emergency contraceptive Plan B® for over-the-counter (OTC) status. The FDA had an open public comment period on EC which ended Nov. 1st, so it is now more important than ever that we **keep sending letters to the FDA and its new officials demanding that they heed the public’s feedback and approve EC OTC!**

We must also continue to educate women and men about EC and work to increase access to EC. It is important to remember that even if EC is available over-the-counter, people need to be educated about how it works and how to obtain it, and pharmacies must be encouraged to make it readily available to customers.

Pharmacy Access States!

If you live in one of the following states, you have access to EC OTC!

Alaska, California, Hawaii, Maine, Massachusetts, New Mexico, New Hampshire, and Washington.

Even though it is available over-the-counter in your state, we still have a lot of work to do in making it accessible to women across the state. It is up to EC activists to increase education and awareness about EC, to ensure that pharmacies carry EC OTC, and to continue to fight for increased availability for women of all ages.

Below are some actions that you can take to promote EC in your pharmacy access state!

EDUCATE!

Conduct an education campaign informing students about EC and letting them know where it available OTC.

ADVERTISE!

Post flyers around the campus and in your community encouraging women to get EC before they need it.

CREATE-A-NEED!

Conduct a call-in/walk-in campaign to local pharmacies to show that there is a demand for EC OTC!

Pharmacy Access for EC

Currently, the FDA has delayed its decision on its approval of Emergency Contraception (EC) for over-the-counter use in women over the age of 17 indefinitely. For the large population of people in this country who are uninsured, particularly young people and minority's (with up to 25% of women in these populations lacking insurance (U.S. Census Bureau)), access to EC over-the-counter is crucial to their access to EC in general. Certain states (Washington, Alaska, California, Hawaii, Maine, New Mexico, New Hampshire, and Massachusetts) have Pharmacy Access Programs that allow pharmacists to dispense EC without requiring a prescription. However, even when states have a Pharmacy Access Program, there is no mandate that pharmacies participate and many pharmacies require a prescription for EC or they don't dispense it at all. According to the Kaiser Family Foundation, only 18% of pharmacies in California are providing EC directly to women through the state's Pharmacy Access program and only 9% of California women ages 15-44 are aware that you can get EC directly from certain pharmacists without a doctor's prescription.

WHAT YOU CAN DO TO PROMOTE PHARMACY ACCESS:

Demand that your local pharmacy provide EC without a prescription!

- If you live in a "Pharmacy Access" state, your first step is to find out if the pharmacies close to your campus have a pharmacist who can provide EC without a doctor's prescription. Then carry out one or all of the following actions, or come up with your own!

Flood your pharmacy with comment cards!

- Collect suggestion/comment cards from pharmacies near campus, and table with them in high traffic areas. For pharmacies that don't provide EC without a prescription, have students fill out cards asking them to start. If the pharmacy has a pharmacist who provides EC directly, have students write messages of appreciation.

Meet with your local pharmacy!

- Your student group may want to target a particular pharmacy for this action. Pick one near the campus that is not part of a national chain that refuses to offer EC altogether (such as Wal-Mart) and try to set up a meeting with the pharmacist or pharmacy manager. Bring the suggestion cards you have collected or bring letters and petitions. Talk with them about the campus community's need for access to EC. Let the pharmacy know that if they start to offer EC directly, your group will publicize the information on your campus.

Conscience Clauses

In every state in this country there are pharmacies with official policies that allow each of its pharmacists to refuse to fill a prescription if dispensing that drug offends his/her own personal, moral, or religious beliefs. These "Conscience Clauses," as they are commonly referred to, can restrict a woman's access to full health services. They are particularly harmful to women seeking emergency contraception, which is effective only in the first 120 hours after unprotected sex and is most effective in the first 24 hours.