



EC OVER-THE-COUNTER FACT SHEET

EC IS AVAILABLE “OVER-THE-COUNTER.” On March 23, 2009, a federal court in New York ordered the Food and Drug Administration (FDA) to make emergency contraception (EC) available without a prescription to women age 17 and older and to consider eliminating all age restrictions on over-the-counter access. In this ‘dual-label’ environment, women and men age 17 and older can buy EC directly from the pharmacy. However, young women under age 17 are still required to obtain a prescription from their healthcare provider in order to obtain EC.

Because of the need to verify age for purchase, EC is actually kept behind the counter at the pharmacy. Women and men who want to purchase EC must ask the pharmacist for a pack and present their valid government issued identification in order to obtain it. This means that women and men seeking to purchase EC may face barriers if they need EC when the pharmacy is closed, if they do not have the required identification, or if they cannot afford the high cost of EC.

EXPANDED ACCESS TO EC IS A PARTIAL VICTORY. The FDA’s decision to approve EC access for women 17 and older is an incomplete victory. While the FDA’s decision expands access to EC for *some* women, it does not go far enough to improve access to EC for *all* women. Many women, due to the age restriction, ID requirement, or high cost of EC, will be excluded from timely access to EC as a result of the FDA’s decision.

Immigrant women or other women without government issued ID may have to seek a prescription in order to access EC at the pharmacy, delaying their timely access to EC which is most effective when taken as soon as possible after unprotected sex. Similarly, the high cost of EC over-the-counter, usually between \$40.00-\$60.00 at pharmacies nationwide, is an additional barrier to women accessing EC when they need it.

TEENS UNDER THE AGE OF 17 ARE STILL REQUIRED TO OBTAIN A PRESCRIPTION FOR EC. Women under 17 must get a prescription for EC from a physician or other reproductive health care provider in order to access EC. Many clinicians require a woman to come in for an office visit before prescribing EC, again delaying timely access to EC which is most effective when taken as soon as possible after unprotected sex.

A few states have special pharmacy access legislation. Women who live in AK, CA, HI, MA, ME, NH, NM, VT and WA, can get EC directly from a local pharmacy regardless of their age. This type of access should be expanded to all women across the United States.

TEENS HAVE BEEN DENIED TIMELY ACCESS TO EC. There are no medical or scientific reasons for imposing an age restriction on over-the-counter sales of EC. EC is safe for women of all ages. Because EC works better the sooner you take it, it is important to obtain EC as soon as possible after unprotected sex. Maintaining the medically unnecessary and burdensome prescription requirement for teens will lead to delays, potentially causing them to miss the window of opportunity to avoid an unintended pregnancy.

THE EC KNOWLEDGE GAP PERSISTS. One third of adult women are still not aware that there is something they can do to prevent pregnancy after unprotected sex. In light of the FDA's decision, increased efforts are needed to explain EC access in this new 'dual-label' environment and to promote knowledge and use of this safe, effective, back up birth control method.

THE BUYBC CAMPAIGN REMAINS STEADFAST IN ITS COMMITMENT TO INCREASE EC ACCESS THROUGH EDUCATION AND OUTREACH. In order to truly expand EC access to all women in the 'dual-label' environment, improved public education is needed to ensure that all women can back up their birth control with EC. The BUYBC campaign is dedicated to providing the information and resources necessary to enable all women to access EC in a timely manner.