

Res. A-05-16

March 2, 2016

TITLE: **Medicaid Coverage of Over-The-Counter Emergency Contraception (EC)**

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Endorsed by*: (*Endorsement not required)

WHEREAS, the AAFP’s policy on Reproductive Decisions states “The American Academy of Family Physicians believes physicians should seek to ... decrease the number of unwanted pregnancies,” and

WHEREAS, emergency contraception is able to decrease unwanted pregnancies by approximately 50 percent¹, and

WHEREAS, extensive literature has established that OTC EC is safe², and

WHEREAS, the FDA approved the sale of emergency contraception (EC) over the counter in 2006 and the AAFP supported this proposal in 2003 (Resolution no. 515), and

WHEREAS, EC has a limited effectiveness window making it extremely important that patients be able to access this medication without delay, and

WHEREAS, numerous professional bodies, including the American Academy of Pediatrics³, the American College of Obstetricians and Gynecologists⁴, the Society of Adolescent Health and Medicine⁵, the Association of Reproductive Health Professionals⁶, and the American Public Health Association⁷ have

¹ Trussell J, Ellertson C, von Hertzen H, Bigrigg A, Webb A, Evans M, Ferden S, Leadbetter C. Estimating the effectiveness of emergency contraceptive pills. *Contraception*. 2003;67:259- 65

² Grimes DA, Raymond EG, Scott Jones B. Emergency contraception over-the-counter: the medical and legal imperatives. *Obstet Gynecol*. 2001;98:151-5.

³ American Academy of Pediatrics Committee on Adolescence. Policy Statement: Emergency Contraception. *Pediatrics*. 2012;130:1174–1182. www.pediatrics.org/cgi/doi/10.1542/peds.2012-2962. doi:10.1542/peds.2012-2962

⁴ ACOG Committee Opinion <http://www.acog.org/Resources-And-Publications/Committee-Opinions/Committee-on-Health-Care-for-Underserved-Women/Access-to-Emergency-Contraception>.

⁵ American Academy of Pediatrics, American College of Obstetricians and Gynecologists, and Society of Adolescent Health and Medicine. (2011) Medical Groups Denounce HHS Decision on Access to Emergency Contraception: Move Defies Strong Evidence that Emergency Contraception is a Safe, Effective Tool to Prevent Unintended Pregnancy. [Press Release]. <http://www.acog.org/~media/News%20Releases/20111207Release.ashx>.

⁶ Association of Reproductive Health Professionals. Position Statement on Contraception/Emergency Contraception. Approved by ARHP’s Policy Committee June 2012, and approved by ARHP’s Board of Directors June 30, 2012. <https://www.arhp.org/about-us/position-statements#2>.

⁷ American Public Health Association. Support of Public Education about Emergency Contraception and Reduction or Elimination of Barriers to Access. Policy Date: November 18, 2003. Policy Number: 200315. <http://www.apha.org/policies-and-advocacy/public-health-policy-statements/policy-database/2014/07/24/15/29/support-of-public-ed-about-emergency-contraception-and-elimination-of-barriers-to-access>.

issued statements recognizing that EC is safe and effective for all females of reproductive age, and support over-the-counter access without age restriction, and

WHEREAS, since becoming over-the-counter, Plan B increased from approximately \$25 to over \$50, and

WHEREAS, low income women are disproportionately affected by the cost-of-over the counter medications, and

WHEREAS, nine other states including Hawaii, Illinois, Maryland, New Jersey, New Mexico, New York, Oklahoma, Oregon and Washington provide coverage for over-the-counter EC through Medicaid without prescriptions, and

WHEREAS, Medi-Cal covers⁸ multiple other-over-the counter medications including but not limited to Ibuprofen, Benadryl, Clotrimazole, Pedialyte, Iron tablets, Pepto-Bismol, Hydrocortisone cream, Pepcid, Naproxen, Loratadine, Prenatal vitamins, and Sudafed, now, therefore be it

RESOLVED, That the California Academy of Family Physicians will advocate that over-the-counter emergency contraception be a covered benefit under Medi-Cal for all women of reproductive age, and be it further

RESOLVED, That the California Academy of Family Physicians will instruct its delegates to present a resolution to the American Academy of Family Physicians (AAFP) calling on the AAFP to advocate that emergency contraception, whether over-the-counter or by prescription, be a covered benefit under all Medicaid programs for all women of reproductive age.

Speaker's Notes:

Fiscal Note:

1) PROBLEM STATEMENT: What specific practice problem does this resolution seek to solve, or, if this resolution pertains to a proposed new CAFPP policy or change of policy, what issue does it seek to address?

It is well-established that decreasing barriers to access to emergency contraception is essential, especially given the limited effectiveness window. Multiple professional organizations, including the American Academy of Family Physicians, have supported efforts to decrease barriers to access including supporting advanced prescriptions, making it available over the counter, and ensuring timely access even when a pharmacist has a conscientious objection to provision. However, even when emergency contraception is readily available to women without a prescription, financial constraints can still limit their access.

⁸ <http://www.dhcs.ca.gov/services/Pages/ff.html>

2) PROBLEM UNIVERSE: Approximately how many CAFP members or members' patients are affected by this problem or proposed policy?

Each year there are approximately three million unintended pregnancies in the United States⁹. As an example for California, in 2011 802,400 of the 7,917,182 women of reproductive age become pregnant. Sixty-three percent of these pregnancies resulted in live births and 23 percent induced abortions (or over 180,000)¹⁰.

Emergency contraception has been shown to be approximately 50 percent effective at preventing pregnancy if taken appropriately.

3) WHAT SPECIFIC SOLUTION ARE YOU PROPOSING TO RESOLVE THE PROBLEM OR POLICY, i.e., what action do you wish CAFP to take?

We propose that the CAFP advocate for over the counter emergency contraception to be a benefit under Medi-Cal for all covered women of reproductive age, and instruct its delegates to present this resolution to the AAFP Congress of Delegates to advocate that over the counter emergency contraception be a covered benefit under all Medicaid programs for all women of reproductive age.

4) WHAT EVIDENCE EXISTS TO: 1) INDICATE THAT A PROBLEM EXISTS; OR 2) THAT THERE IS NEED FOR A NEW OR REVISED POLICY?

See information included in "Whereas" statements.

5) PLEASE PROVIDE CITATIONS to support the existence of the problem and your proposed solution.

Citations shown above.

⁹ www.not-2-late.com

¹⁰ Guttmacher Institute. <https://www.guttmacher.org/pubs/sfaa/california.html>