

Commonwealth of Virginia

GENERAL ASSEMBLY

RICHMOND

January 24, 2013

The Honorable Kathleen Sebelius Secretary of Health and Human Services U.S. Department of Health & Human Services 200 Independence Avenue, S.W. Washington, D.C. 20201

Dear Secretary Sebelius,

We write to you as members of the Virginia General Assembly on an issue of women's health.

As you no doubt know, the American College of Obstetricians and Gynecologists (ACOG) recently announced its support for selling oral contraceptives over the counter without a prescription in the United States. Your Department has also held hearings and review of this issue. Countries all over the world already allow for over the counter sale of oral contraceptives as well as other birth control methods. Yet here in the United States we still do not have oral contraceptives available over the counter for adult women 18 and older. Such a policy could quickly be adopted and end birth control politics and put this decision totally into the hands of adult women in the U.S.

As ACOG wrote in their opinion:

Unintended pregnancy remains a major public health problem in the United States. Access and cost issues are common reasons why women either do not use contraception or have gaps in use. A potential way to improve contraceptive access and use, and possibly decrease unintended pregnancy rates, is to allow over-the-counter access to oral contraceptives (OCs). Screening for cervical cancer or sexually transmitted infections is not medically required to provide hormonal contraception. ... Weighing the risks versus the benefits based on currently available data, OCs should be available over-the-counter. Women should self-screen for most contraindications to OCs using checklists.

As Governor Bobby Jindal pointed out in a recent op-ed also supporting over the counter sale of oral contraceptives to adult women:

Let's ask the question: Why do women have to go see a doctor before they buy birth control? There are two answers. First, because big government says they should, even though requiring a doctor visit to get a drug that research shows is safe helps drive up health-care costs. Second, because big pharmaceutical companies benefit from it. They

know that prices would be driven down if the companies had to compete in the marketplace once their contraceptives were sold over the counter.

So at present we have an odd situation... women can buy the morning-after pill over the counter without a prescription, but women cannot buy oral contraceptives over the counter unless they have a prescription. Contraception is a personal matter—the government shouldn't be in the business of banning it or requiring a woman's employer to keep tabs on her use of it. If an insurance company or those purchasing insurance want to cover birth control, they should be free to do so. If a consumer wants to buy birth control on her own, she should be free to do so...

...It's time to put purchasing power back in the hands of consumers—not employers, not pharmaceutical companies, and not bureaucrats in Washington. The great thing about America is that power doesn't come from government, but from people. It's time to reclaim that power. It's time to stop government from dividing people or insulting deeply held religious beliefs, and return the country to the path that has always made it great—one where Americans respect and value their fellow citizens, no matter their creed.

Allowing over the counter sales of oral contraceptives for adult women could help in ending birth control politics. (Note: We still think it is important to maintain parental notification and parental consent laws that keep parents involved in the health care decisions of women under 18, all of our discussion here is as it applies to adult women 18 and over.)

This is a reform that makes sense and is something the Obama administration could quickly move on with bipartisan support.

We hope you will review the option to adopt this policy that has already been extensively studied and has bipartisan support.

Sincerely,

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