

U.S. Senator Baldwin: Supports legislation to expand affordable over-the-counter birth control

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WASHINGTON, D.C. – U.S. Senator Tammy Baldwin is supporting the introduction of the Affordability is Access Act (AAA) to ensure that people across the country can access and afford over-the-counter birth control options and plan their own reproductive lives, on their own terms.

As Republicans work around the clock to rob people of the ability to plan a family on their own terms—including by banning abortion and attacking access to birth control—Democrats are focused on making sure people can get the birth control they need without being forced to pay out-of-pocket or jump through unnecessary hoops. The Affordability is Access Act would ensure that once the FDA determines an over-the-counter birth control option to be safe, it approves it without delay—and would ensure that insurers then fully cover over-the-counter birth control without any out-of-pocket costs. The legislation addresses the reality that for many—especially those with the tightest budgets—true access requires affordability.

A new [poll](#) released this week shows strong, bipartisan support for expanding access to birth control: 71% of Americans say they support allowing birth control to be sold over-the-counter, and 84% say that expanding access to birth control is important with the Supreme Court set to overturn *Roe v. Wade*.

“Women in Wisconsin do not want politicians making decisions about their own reproductive health care, and they don’t need political interference making it harder to get birth control,” **said Senator Baldwin.** “I support removing barriers to safe and effective birth control, and expanding access to it by making sure women can

get affordable contraception over the counter, without a prescription and without any out-of-pocket costs.”

The Affordability is Access Act will:

- **Ensure coverage of comprehensive preventive health services and expand coverage to include full access to oral contraception for routine, daily over-the-counter use for all.** All private health insurance plans are now required to cover all U.S. Food and Drug Administration (FDA)-approved methods of contraception. The Act would ensure coverage of all oral contraception that the FDA has approved or regulated for routine, daily use without a prescription.
- **Maintain the FDA’s sole authority to determine the safety and efficacy of drugs and make them available over-the-counter without a prescription.** It is imperative that the entities that research and develop oral contraceptives, and whose medical and scientific experts have developed clinical and other evidence that birth control pills are safe and effective when sold without a prescription, apply to the FDA for review and approval for sale without a prescription. Upon the receipt of such an application, the FDA must determine whether the contraceptive product meets the rigorous safety, efficacy, and quality standards for over-the-counter use, as established by the Federal Food, Drug, and Cosmetic Act. If the product meets these standards, the FDA should approve the application without delay.
- **Ensure retailers provide oral contraception without a prescription.** The Act states that any retailer that stocks oral contraception that the FDA has approved or regulated for routine, daily use without a prescription may not interfere with a consumer’s access to or purchase of such contraception.

“Across party lines, voters overwhelmingly support eliminating needless barriers for people seeking to prevent pregnancy,” **Contraceptive Access Initiative (CAI) Co-founder Dana Singiser said.** “More than six decades of safety data about the pill and a national reproductive health crisis should motivate the FDA to prioritize the review process moving toward approval.”

“Removing barriers to safe and effective birth control is an urgent reproductive

health access and equity issue,” **said Power to Decide CEO and practicing OB-GYN Dr. Raegan McDonald-Mosley, M.D., M.P.H.** “That’s especially true for people in rural communities and communities of color, who already face systemic roadblocks to getting the health care they need.”

The legislation is endorsed by: Power to Decide, Catholics for Choice, Physicians for Reproductive Health, National Women’s Law Center, Reproductive Health Access Project, National Latina Institute for Reproductive Justice, URGE: Unite for Reproductive and Gender Equity, Contraceptive Access Initiative, NARAL Pro-Choice America, American Atheists, American Public Health Association, National Family Planning & Reproductive Health Association, National Partnership for Women & Families, Upstream USA, Center for Reproductive Rights, National Association of Nurse Practitioners in Women’s Health, Population Connection Action Fund, Planned Parenthood Federation of America, National Health Law Program, Coalition to Expand Contraceptive Access (CECA), Advocates for Youth, and Ibis Reproductive Health.

In the Senate, the *Affordability is Access Act* was introduced by Senator Patty Murray (D-WA), Chair of the Senate Health, Education, Labor, and Pensions (HELP) Committee, Senator Mazie Hirono (D-HI), and Senator Catherine Cortez Masto (D-NV). In addition to Senator Baldwin, the legislation is cosponsored by Senators Richard Blumenthal (D-CT), Michael Bennet (D-CO), Cory Booker (D-NJ), Maria Cantwell (D-WA), Tammy Duckworth (D-IL), Dianne Feinstein (D-CA), Kirsten Gillibrand (D-NY), Maggie Hassan (D-NH), Martin Heinrich (D-NM), Tim Kaine (D-VA), Amy Klobuchar (D-MN), Patrick Leahy (D-VT), Edward J. Markey (D-MA), Bob Menendez (D-NJ), Jeff Merkley (D-OR), Chris Murphy (D-CT), Alex Padilla (D-CA), Gary Peters (D-MI), Jack Reed (D-RI), Jacky Rosen (D-NV) Bernie Sanders (I-VT), Brian Schatz (D-HI), Jeanne Shaheen (D-NH), Tina Smith (D-MN), Debbie Stabenow (D-MI), Elizabeth Warren (D-MA), Sheldon Whitehouse (D-RI), and Ron Wyden (D-OR). In the House the legislation was introduced by Congresswoman Ayanna Pressley (D-MA-07), Chair of the Pro-Choice Caucus’ Abortion Rights and Access Taskforce, Congresswoman Alexandria Ocasio-Cortez (D-NY-14), and Congressman Ami Bera, M.D. (D-CA-07).

Read full text of the *Affordability is Access Act* [here](#).

An online version of this release is available [here](#).