

**Biden Administration RFI re: Insurance coverage for OTC products
December 2023**

We are writing as individuals to submit public comments in favor of the potential requirement for most health insurance plans to cover a range of over-the-counter (OTC) preventive products, including contraception, free of charge. Our comments draw on our expertise in reproductive health research, specifically on the benefits of OTC and affordable access to birth control pills.

As members of the Sexual and Reproductive Health Equity (SHARE) Program at the University of California, Berkeley, our multi-method research on contraceptive access underscores the importance of expanding options for individuals seeking reproductive health care. Our recent national project, focusing on person-centered contraceptive access needs, utilized a nationally representative survey of English- and Spanish-speaking individuals aged 15-44 with the capacity to become pregnant.

Preliminary analyses of the data from this survey, conducted from January to March 2022 and fielded through NORC's AmeriSpeak Panel, indicate that 24% of respondents either currently use or would like to use birth control pills—this translates to an estimated 11.6 million people in the United States. About one-quarter of current and interested pill users reported experiencing a challenge or delay obtaining desired contraception in the prior year, and for over a quarter of those, the challenge or delay was due to financial factors (specifically, cost or insurance). The importance of insurance coverage for access to the pill is further demonstrated by the fact that among current pill users, 69% reported using insurance to cover the full cost of their pills and 14% used insurance to cover part of the cost. These data indicate that pill users rely heavily on insurance coverage to be able to afford their contraception. Therefore, high out-of-pocket costs and lack of insurance coverage create barriers to accessing oral contraceptives.

Among current and interested pill users, 34% expressed a preference for obtaining their birth control over-the-counter, with 23% identifying OTC access as their *most* preferred way to receive their method. Young people constitute a significant portion of those who prefer OTC access, with 13% aged 15-17 years and 36% aged 18-24 years. Notably, over a quarter of current and interested pill users who most prefer OTC access reported financial factors—cost and insurance coverage—as the reasons for this preference. Given the large proportion of young people who prefer OTC access to pills, insurance coverage limitations and high costs are likely to disproportionately impact young people, who already have increased barriers to accessing care.

Our research aligns with the understanding that individuals themselves are best positioned to make decisions about their health, their bodies, and their futures. Current research, as well as historical evidence, suggests that prescription requirements and out-of-pocket costs can pose significant barriers to consistent use of birth control pills. Factors such as the cost of healthcare visits, lack of insurance coverage, time constraints, transportation challenges, and childcare responsibilities disproportionately affect marginalized communities, including Black, Indigenous,

and people of color, young people, immigrants, LGBTQ+ individuals, low-income populations, and those with disabilities.

Removing these barriers through insurance-covered OTC access is a critical step toward reproductive justice. Our data demonstrate that young people in particular stand to benefit significantly from OTC birth control pills. Insurance coverage for OTC birth control pills is an important step toward reproductive justice.

In conclusion, we strongly advocate for the inclusion of OTC contraceptive coverage in health insurance plans. The evidence is clear: OTC birth control pills, covered by insurance, would fill gaps in access and give people greater and more equitable access to the tools and resources needed to take care of their own health. **The Administration must ensure that insurance plans cover OTC birth control without cost-sharing.**

Sincerely,

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