

Public Health Committee JOINT FAVORABLE REPORT

Bill No.: HB-5197

AN ACT ALLOWING EMERGENCY CONTRACEPTION TO BE SOLD AND
DISPENSED VIA VENDING MACHINES LOCATED AT INSTITUTIONS OF

Title: HIGHER EDUCATION.

Vote Date: 3/20/2023

Vote Action: Joint Favorable

PH Date: 3/6/2023

File No.:

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SPONSORS OF BILL:

The Public Health Committee

REASONS FOR BILL:

As Connecticut continues to advance policies to protect a woman's reproductive rights and expand access to health care services, this bill would allow emergency contraceptives to be sold in vending machines on college campuses. The vending machines must be owned and operated by a business that sells emergency contraceptives and has a permit from the Department of Consumer Protection (DCP) for each machine. Anyone who is not a licensed pharmacist and wishes to sell contraceptives through a vending machine on a college campus must apply to the DCP to obtain a permit. The contraceptive must be labeled and packaged according to state and federal law.

Each vending machine must be registered with the DCP, and the application must include the name of the person responsible for maintaining the machine. It is the responsibility of this person to ensure that the machine adhere to the following criteria:

- Proper temperature and humidity
- The contraception must be in the original packing provided by the manufacturer
- Must ensure that the contraception is not expired or adulterated and not under recall. If a recall has occurred, the product must be removed as soon as possible.
- Each machine must contain written information attached to the machine that advises consumers to check the dates on the product, as well as provide a toll-free number to report to DCP if a product has expired or the packaging has been tampered with.

Any violation of these criteria is subject to a fine of up to \$1,000 per violation.

RESPONSE FROM ADMINISTRATION/AGENCY:

None expressed.

NATURE AND SOURCES OF SUPPORT:

Lynne Hyde, Universal Health Care Foundation of CT:

The foundation supports the bill which breaks down barriers to accessing emergency contraception. In 2013 the Food and Drug Administration (FDA) approved contraceptive medication as an effective and safe over-the-counter option for women of all ages. This bill will further expand access to this option for women using vending machines.

Jess Zaccagnino, Policy Counsel for the American Civil Liberties Union CT (ACLU-CT):

The ACLU-CT supports the right to safe and affordable access to a full range of contraceptive and abortion options. Access to contraception is vital to a person's autonomy, equality and ability to participate in all aspects of life. Emergency contraception is safe, does not produce any long-term side effects, and will not affect a woman's ability to get pregnant in the future. Increasing access through vending machines will provide more access to the people who need it, including survivors of sexual assault.

Nathan Tinker, CEO, CT Pharmacists Association (CPA):

Giving women the freedom to decide not only whether to seek contraception, but where to do so, is one step further in realizing the goal of increased options, accessibility and equitable health care.

Gretchen Raffa, Vice President Public Policy, Planned Parenthood:

In 2006 the FDA approved over-the-counter use of emergency contraception for women 18 and older. Then in 2013, the FDA approved over-the-counter use by women of all ages without a prescription. This bill will provide additional access through vending machines continuing to expand access to people who need this medication, including survivors of sexual assault. Planned Parenthood will continue to support policies to protect reproductive rights.

Christine Gustafson, Resident of CT:

This bill protects and expands access to reproductive health care not only for residents of Connecticut, but for those who travel to our state to get care not available where they reside.

Testimony in support of this bill was also provided by:

- The American College of Obstetricians and Gynecologists (ACOG).
- Donna Grossman, resident of Windsor, CT.
- Lisa Thomas, resident of CT.

NATURE AND SOURCES OF OPPOSITION:

Lisa Maloney, LMFT:

Ms. Maloney opposes this bill questioning what contingency plans are in place for adverse reactions to taking emergency contraception without medical supervision? Also, what is to prevent an underage minor from accessing these medications?

Mary Nagy, Nurse:

Ms. Nagy believes the purchase of emergency contraception from a vending machine allows for a non-regulated use of a substance with a potentially lethal outcome, such as uncontrolled bleeding and hemorrhage, potentially life-threatening.

Reported by: Kathleen Panazza

Date: March 25, 2023