



Legislation Text

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Res. No. 92-A

Resolution calling upon the Food and Drug Administration to approve emergency contraception Plan B for over-the-counter sale.

By Council Members Yassky, Quinn, Brewer, Gerson, Gioia, James, Monserrate, Moskowitz, Reyna, Reed, Sears, Stewart and The Public Advocate (Ms. Gotbaum)

Whereas, In 1999, the United States Food and Drug Administration (FDA) approved Plan B, the first progestin-only emergency contraception (EC) product made available in the United States, as a safe and effective method of EC; and

Whereas, The Reproductive Health Technologies Project estimates that since the FDA's approval of Plan B, an estimated 2.4 million women have used Plan B; and

Whereas, EC prevents a woman from ovulating, or, if she has already ovulated, prevents an egg from subsequently being fertilized or implanted on to the uterine wall, thereby preventing pregnancy when other contraceptive methods have failed or unprotected intercourse has occurred; and

Whereas, EC reduces a woman's risk of pregnancy by up to 89 percent if taken within 72 hours of unprotected intercourse, and is substantially more effective the sooner it is taken; and

Whereas, Currently, EC is only available with a prescription; and

Whereas, A study, entitled "The Effects of Self-Administering Emergency Contraception" in the New England Journal of Medicine, argues that the use of EC could prevent as many as 1.7 million unintended pregnancies that occur each year in the United States, including as many as 800,000 pregnancies that result in abortion; and

Whereas, New York State Comptroller Alan Hevesi's report, entitled "Emergency Contraception in New

York State, Fewer Unintended Pregnancies and Lower Health Care Costs,” found that making EC more accessible to women in New York State would result in 122,000 fewer unintended pregnancies and 82,000 fewer abortions every year, and as a result would cut health care spending in New York State by \$452 million annually; and

Whereas, Many obstacles prevent access to EC within the 72 hour time limit, including physicians’ limited office hours, inconvenient locations of doctors’ offices, providers not dispensing such medication due to religious objections and misinformation about its function; and

Whereas, Since 1998, Washington, California, New Mexico, Hawaii and Alaska have adopted measures allowing women to obtain EC from a pharmacist without a visit to her doctor; and

Whereas, Women in a number of countries, including the United Kingdom and France, can obtain EC without a prescription; and

Whereas, The American Medical Association (AMA) and the American College of Obstetricians and Gynecologists (ACOG), along with more than 70 medical and public health groups, have endorsed the proposal to make EC available over-the counter; and

Whereas, On or about February 20, 2004, the Commissioner of the FDA is expected to announce his decision regarding the request to approve EC Plan B for over-the-counter sale; and

Whereas, Making EC easily accessible to women in a timely fashion will improve women’s reproductive health; now, therefore, be it

Resolved, That the Council of New York City calls upon the Food and Drug Administration to approve emergency contraception Plan B for over-the-counter sale.

DP
2/9/04