

Frequently Asked Questions: Emergency Contraception and Age Restrictions

What is emergency contraception and where can I get it?

[Emergency contraception](#) (EC) refers to a method of contraception that prevents pregnancy after unprotected sex or contraceptive failure. EC prevents a pregnancy from occurring in the first place. It will not harm or end an existing pregnancy. There are three different types of emergency contraception:

1. **Plan B One-Step® and its generics** are a single pill made of the hormone levonorgestrel. The pill is effective at preventing pregnancy up to 3 days (72 hours) after unprotected sex or contraceptive failure. Plan B One-Step® and its generics are approved for over-the-counter (OTC) sale for people of all ages, meaning a person doesn't need a prescription to buy them. They can be found at most major pharmacies or retail stores, usually in the family planning aisle, and at certain health clinics and campus health centers. Many can also be ordered on the internet, either at online drug stores, Amazon, or [Afterpill.com](#).
2. **ella®** is a single pill made of ulipristal acetate and is safe and effective at preventing pregnancy up to five days (120 hours) after unprotected sex or contraceptive failure. ella® requires a prescription from a health care provider (but in some states, [a pharmacist may prescribe it](#)) and can be picked up at the pharmacy. Alternatively, ella® can be ordered from some online pharmacies.
3. **ParaGard®** is an intrauterine device (IUD) that is made of copper and does not contain hormones. It is inserted into the uterus by a health care professional and can remain in place for 10-12 years. ParaGard has [two uses](#). It can be used for routine contraception (to prevent pregnancy *before* sex) or as EC. When inserted within 5 days (120 hours) of unprotected sex or contraceptive failure, ParaGard® is the most effective form of EC available.

Who may purchase Plan B One-Step® and its generics?

For many years, there were age restrictions on the OTC sale of Plan B One-Step® and its generics. The delay in lifting the age restriction, however, was based on politics and not evidence-based research. Today, there are no longer age restrictions – any person, regardless of age or gender, may purchase Plan B One-Step® and its generics. In other words, a pharmacist or store clerk should not ask for an ID or about a customer's age at check out.

Why is April 30th a milestone for emergency contraception?

The U.S. Food and Drug Administration (FDA) must approve any new drug before it hits the market, to ensure that drugs are safe and effective for consumers to use. Developing new drugs is a costly and time-consuming undertaking. To encourage drug manufacturers to do so, the FDA may grant "[exclusivity](#)" to makers of new drugs. This exclusivity provides the manufacturer with protection from competition in the marketplace when the product is first approved for a specific use.

In 2013, the FDA approved Plan B One Step® for OTC sale for people of all ages, allowing it to be sold from store shelves without an age restriction. The FDA also granted Plan B One-Step's® manufacturer, Teva Pharmaceuticals, three years of exclusive rights to market the drug to women 16 and younger. The generic versions of Plan B One Step® initially remained behind-the-counter (dispensed by a pharmacist

to women 16 and younger who had a prescription but without a prescription requirement for women 17 and older). However, several months later the FDA clarified that generics could be sold OTC to all ages, so long as their labeling during the exclusivity period stated that their products were intended only for women 17 and older.

Teva's exclusivity expires on April 30, 2016, allowing the generics to remove any reference to age from their labels. We can expect to see the newly labeled generics on store shelves this summer, once the current stock of generic boxes is depleted.

What will change as a result of Teva losing its market exclusivity?

In practice, not much will change other than new labels on generic boxes. However, years of political and courtroom battles about moving EC OTC, as well as frequently changing age restrictions, have led to a great deal of confusion as to who may purchase EC. This confusion exists not only among consumers, but pharmacists and retailers as well. For instance, a 2015 [survey](#) by the American Society for Emergency Contraception found:

- 39% of surveyed customers were mistakenly told that there is an age restriction on EC;
- store employees “reported a minimum age for OTC access ranging from 13 years to 18 years, with the majority stating that a customer had to be at least 17 years old to buy EC without a prescription”;
- some customers were told that there was an age restriction, but the store personnel did not know what the exact age was;
- 38% of stores surveyed required customers to show an ID to purchase EC.

How have age restrictions impeded access to EC?

Even after the formal age restriction was lifted, the reference to age on generic EC boxes deterred access by implying that the product could only be purchased OTC by customers 17 and older. Due to the confusion about an age restriction detailed above, some pharmacists and store employees regularly (but improperly) continue to ask customers for proof of age at check out, resulting in denials of EC to those who are legally eligible to purchase it.

This improper ID check is not only a barrier to access for young people but also for others who are less likely to have IDs. Low-income Americans as well as people of color are less likely to have valid identification, as are immigrants, transgender people, and people with disabilities. Therefore, an ID check blocks access to EC for those already facing the greatest barriers to health care.

The confusion and resulting denials are especially concerning given the time-sensitive nature of EC – the longer one is forced to wait to take EC, the higher the chance of becoming pregnant. Hopefully, the removal of the misleading language on generic EC boxes can help eliminate lingering confusion regarding an age restriction once and for all.

If you need are in need of EC, please visit [Bedsider's EC locator](#) to find the location nearest you.