



REPRODUCTIVE EQUITY NOW

City/Town/Municipality Name

ARTICLE ##

Submitted by:

To see if the Town will amend its by-laws to improve gender equity and advance contraceptive access by providing emergency contraception vending machines in restrooms serving the general public in its public buildings, as follows:

###

SECTION ###.1 DEFINITIONS

“Emergency contraception” means any drug approved by the federal Food and Drug Administration as a contraceptive method for use after sexual intercourse.

“Restrooms serving the general public” mean restrooms established for use by members of the public (as differentiated from staff restroom facilities).

“Public Building” for the purposes of this Warrant Article means any facility owned or leased by the Town of [Name] that contains restrooms for the general public and over which the Town has care, maintenance, custody, and/or control. This shall include, but not be limited to: Public Libraries, the Town Hall Complex (including the Public Health Bldg), the Public Safety Bldg, Recreational Facilities, and Parks.

SECTION ###.2 ACCESS TO EMERGENCY CONTRACEPTION

The Town of [Name] shall make available and accessible vending machines stocked with emergency contraception in its public building restrooms that serve menstruation-capable members of the public.

SECTION ###.3 MANNER OF DISPENSING

Machine dispensers for emergency contraception provided under this by-law shall be chosen in consultation with the Building Department and Department of Public Health, but must comply with ADA and other equity-of-access laws and considerations. Emergency contraception made available from an employee, office, or other site in a public building upon in-person request does not constitute compliance with this by-law.

SECTION ###.4 PRODUCT FEE

Emergency contraception dispensed through the vending machines shall be made available at a fee of no more than \$10.00.

SECTION ###.5 EFFECTIVE DATE

This by-law shall take effect MONTH #, 20##. It will become effective for the Public Schools of [Name] upon adoption by the [Name] School Committee.

or act on anything relative thereto.

PETITIONER'S ARTICLE DESCRIPTION

If approved by Town Meeting, this Warrant Article would provide vending machines stocked with emergency contraception priced at no more than \$10.00 in public buildings in Town of [Name].

Decisions around emergency contraception are time-sensitive, and people often pay out-of-pocket for over-the-counter emergency contraception instead of jumping through hoops to get a prescription. The state legislature recently took steps to rectify this situation: *An Act expanding protections for reproductive and gender-affirming care* has, among other provisions, sections creating a statewide standing-order for emergency contraception and removing a law banning vending machines for emergency contraception. However, there is still more that this town can do to ensure timely and affordable access.

Installing vending machines that dispense emergency contraception will help ensure that individuals on self-funded health plans who are not eligible for free emergency contraception can still access it in a timely and affordable manner. Vending machines located in restrooms would also help ensure discretion for individuals who might be concerned about purchasing emergency contraception from a pharmacy.

Cost: The most substantial cost of the by-law is the purchase and installation of dispensing machines in our public bathrooms. For that reason, the by-law has an effective date that will allow a phase-in across multiple fiscal years. Installation can be done by existing Town building staff, so the budget impact is principally the machine costs. Once machines are installed, bulk ordered supplies are far less expensive than typical retail and will be included in the budget as a separate budget item.

Background: The two types of medication emergency contraceptives:

- Levonorgestrel-based ("LNG-based") emergency contraception, such as Plan B One-Step™, are designed to prevent the ovaries from releasing eggs.
- Ulipristal-based ("UPA-based") emergency contraception, such as ella™, similarly prevents ovulation.

While Plan B One-Step™ and LNG-based generics are available over the counter, unrestricted and without the need to show ID or proof of age, this form of emergency contraception may not be the

most effective for all patients. Ella™ and UPA-based emergency contraception are not available over the counter and require a prescription (or purchase through the statewide standing order).

As it is currently drafted, this Article would only provide for Plan B and LNG-generics to be sold via vending machines. Overall, Plan B One-Step™ and LNG-based emergency contraception reduce pregnancy risk by 88% and prevent 95% of pregnancies if taken within 24 hours. Plan B One-Step™ and LNG-based contraceptives are recommended for women under 165 pounds or a BMI of up to 26.