

## **Birth Control Protection Act (LRB 2493 & 1805)**

The Birth Control Protection Act requires that pharmacists dispense all safe, valid birth control prescriptions and clarifies that contraceptive methods should never be included in the definition of abortion under Wisconsin law, which birth control opponents have been trying to accomplish for years.

### **The BCPA Ensures that Women and Families Have Access to their Birth Control Prescriptions**

- No woman should be denied her birth control prescription at the pharmacy counter.
- Pharmacists have a legal and ethical obligation to facilitate patient access to safe, legal medication rather than become an obstacle to access.
  - Wisconsin law states that pharmacists have a legal obligation to dispense medications (Wis. Stat. Sec. 450.13(1)) and cannot take any actions which harm the health, safety or welfare of a patient or the public or discriminate against patients because of gender (Pharm 10.03).
  - The Wisconsin and national code of ethics for pharmacists establish that the practice of pharmacy must be patient-centered, rather than self-centered around the personal beliefs of a pharmacist.
- This bill will ensure that pharmacists are not refusing to fill safe, valid birth control prescription based solely on their personal beliefs.

The Pharmacy Examining Board, an administrative law judge and a Wisconsin state court have all ruled that in Wisconsin, the standard of care ordinarily exercised by a pharmacist requires a pharmacist to dispense medication to a patient when presented with a valid prescription order, unless the pharmacist in his professional opinion believes that the prescription has the potential for causing harm to the patient.

### **Birth Control Pills Do Not Cause an Abortion**

Anti-birth control special interest groups use a very specific tactic to target birth control--they spread misinformation and lies that birth control pills cause an abortion, calling the medication "chemical abortions." In addition, they have strategically worked over the past few years to redefine abortion as including birth control pills.

According to legitimate health care organizations like the American Medical Association (AMA) and the American College of Obstetricians and Gynecologists (ACOG), birth control pills act to prevent pregnancy, and work before pregnancy occurs. Hormonal birth control pills have no effect on an established pregnancy. This is proven everyday by the women who become pregnant while on the pill and continue to take the medication, not realizing that they are pregnant.

There are medications that induce abortion used in modern obstetrics practice like RU-486 and mifepristone. It is important to note that these abortion inducing medications can only be given to a patient by a physician, not a pharmacist.

- Wisconsin law has a physicians-only requirement that allows only physicians to administer abortion inducing medications.
- In Wisconsin, women who undergo a medical abortion must comply with the state mandated lecture and 24-hour delay period before taking the abortion medication.
- Medical abortions work by stopping the woman's body from producing pregnancy sustaining hormones, thus terminating the pregnancy.

### Access to Birth Control Is Basic Health Care for Women

- Over 90% of American women use some form of birth control during their lifetimes. Without access to birth control, the average woman would have between 12 and 15 children in her lifetime.
- By limiting a woman's ability to access birth control, bills like last session's Prescription Denial Bill which would have allowed a pharmacist to refuse filling birth control prescriptions, unnecessarily puts women at risk for unintended pregnancies.
- Birth control pills are also used to address serious and painful health conditions, such as endometriosis.
- The ability to plan and space pregnancies has contributed to improve maternal, infant and family health.
  - Planned pregnancies make for healthier mothers and babies, because there is more of a focus on prenatal care. For example, prior to the availability of birth control, there were 31.6 maternal deaths per 100,000 births. That rate has been reduced by 69% to 9.9 maternal deaths per 100,000 births. In addition, 24.7 infants died per 1,000 live births. In 2001, that number has declined to 6.8 infant deaths per 1,000 live births. (U.S. Census Bureau, 2004).
- The ability to plan and control fertility has given women access to a broader range of life choices including education and employment opportunities.
  - In 1965, without access to birth control, 26.2 million women participated in the work force. By 2003, that number had increased to 68.3 million women. (U.S. Census Bureau, 2004).
  - More than half of employed women provide for at least half of their household income.
  - Between 1960 and 2003, the number of women who completed four or more years of college quadrupled from 5.8% to 25.7%.
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