

118TH CONGRESS  
2D SESSION

# H. R. 8659

To allow women greater access to safe and effective oral contraceptive drugs intended for routine use, and to direct the Comptroller General of the United States to conduct a study on Federal funding of contraceptive methods.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 7, 2024

Mrs. HINSON (for herself, Mrs. MILLER-MEEKS, Ms. MALLIOTAKIS, and Mr. CISCOMANI) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Natural Resources, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To allow women greater access to safe and effective oral contraceptive drugs intended for routine use, and to direct the Comptroller General of the United States to conduct a study on Federal funding of contraceptive methods.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Allowing Greater Ac-  
5 cess to Safe and Effective Contraception Act”.

1 **SEC. 2. SUPPLEMENTAL APPLICATIONS FOR OVER-THE-**  
2 **COUNTER CONTRACEPTIVE DRUGS.**

3 (a) **PRIORITY REVIEW OF APPLICATION.**—The Sec-  
4 retary of Health and Human Services (referred to in this  
5 section as the “Secretary”) shall give priority review to  
6 any supplemental application submitted under section  
7 505(b) of the Federal Food, Drug, and Cosmetic Act (21  
8 U.S.C. 355(b)) if—

9 (1) the supplemental application is with respect  
10 to an oral contraceptive drug intended for routine  
11 use;

12 (2) the supplemental application is not with re-  
13 spect to—

14 (A) any emergency contraceptive drug; or

15 (B) any drug that is also approved for in-  
16 duced abortion; and

17 (3) if the supplemental application is approved,  
18 with respect to individuals aged 18 and older, such  
19 drug would not be subject to section 503(b)(1) of  
20 the Federal Food, Drug, and Cosmetic Act (21  
21 U.S.C. 353(b)(1)).

22 (b) **FEE WAIVER.**—The Secretary shall waive the fee  
23 under section 736(a)(1) of the Federal Food, Drug, and  
24 Cosmetic Act (21 U.S.C. 379h(a)(1)) with respect to a  
25 supplemental application that receives priority review  
26 under subsection (a).

1 (c) OVER-THE-COUNTER AVAILABILITY.—Notwith-  
2 standing any other provision of law, with respect to indi-  
3 viduals under age 18, a contraceptive drug that is eligible  
4 for priority review under subsection (a) shall be subject  
5 to section 503(b)(1) of the Federal Food, Drug, and Cos-  
6 metic Act (21 U.S.C. 353(b)(1)), including after approval  
7 of the supplemental application as described in subsection  
8 (a)(3).

9 (d) APPLICABILITY.—This section applies with re-  
10 spect to a supplemental application described in subsection  
11 (a) that—

12 (1) is submitted before the date of enactment of  
13 this Act and remains pending as of such date of en-  
14 actment; or

15 (2) is submitted after such date of enactment.

16 **SEC. 3. GAO STUDY AND REPORT ON FEDERAL FUNDING OF**  
17 **CONTRACEPTIVE METHODS.**

18 Not later than one year after the date of enactment  
19 of this Act, the Comptroller General of the United States  
20 shall conduct a study and submit a report to Congress  
21 regarding the amount of Federal funds made available for  
22 the purposes of contraception reimbursement, inventory  
23 stocking, provider training, or patient education during  
24 the 15-year period immediately preceding such date of en-  
25 actment, including such funding made available through—

1           (1) the Medicare program under title XVIII of  
2 the Social Security Act (42 U.S.C. 1395 et seq.);

3           (2) the Medicaid program under title XIX of  
4 the Social Security Act (42 U.S.C. 1396 et seq.);

5           (3) the Indian Health Service;

6           (4) the American Health Benefit Exchanges es-  
7 tablished under section 1311 or 1321 of the Patient  
8 Protection and Affordable Care Act (42 U.S.C.  
9 18031; 18041);

10          (5) Federally-qualified health centers (as de-  
11 fined in section 1905(l)(2)(B) of the Social Security  
12 Act (42 U.S.C. 1396d(l)(2)(B)));

13          (6) title X of the Public Health Service Act (42  
14 U.S.C. 300 et seq.);

15          (7) temporary assistance for needy families  
16 under part A of title IV of the Social Security Act  
17 (42 U.S.C. 601 et seq.); or

18          (8) the TRICARE program (as defined in sec-  
19 tion 1072 of title 10, United States Code).

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