

Legal (and a few Medical) Barriers to Contraception Access for American Teenagers

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Right of Consent for US Teens

- Age of Majority
- Mature Minor
- Parent
- Military
- Married
- How young?

State Law Summary

CA = universal consent TX – Married only – no
State funds to counsel

Specific Consent for Contraception for US Teens

- 21 states and the District of Columbia explicitly allow all minors to consent to contraceptive services.
- 25 states explicitly permit minors to consent to contraceptive services in one or more circumstances.
- 3 states allow minors to consent to contraceptive services if a physician determines that the minor would face a health hazard if she is not provided with contraceptive services.
- 21 states allow a married minor to consent to contraceptive services. 6 states allow a minor who is a parent to consent.
- 6 states allow a minor who is or has ever been pregnant to consent to services. ♣
- 11 states allow a minor to consent if the minor meets other requirements, including being a high school graduate, reaching a minimum age, demonstrating maturity or receiving a referral from a specified professional, such as a physician or member of the clergy.
- 4 states have no explicit policy on minors' authority to consent to contraceptive services.

Guttmacher Institute 2015 http://www.guttmacher.org/statecenter/spibs/spib_MACS.pdf

Emergency Contraception

- Now 4 products available
- OTC per FDA ruling in 2014
- Only age 17 and over
- Why 17?? Over half teens sexually active by this age

Emergency Contraception Laws

- 18 states and the District of Columbia require hospital emergency rooms to provide emergency contraception-related services to sexual assault victims.
 - 17 states and the District of Columbia require emergency rooms to provide information about emergency contraception to sexual assault victims.
 - 13 states and the District of Columbia require emergency rooms to dispense the drug on request to sexual assault victims.
- 9 states allow pharmacists to dispense emergency contraception without a physician's prescription under certain conditions.
- 7 states allow pharmacists to distribute it when acting under a collaborative-practice agreement with a physician.
- 3 states, including 1 that also gives pharmacists the collaborative-practice option, allow pharmacists to distribute emergency contraception in accordance with a state-approved protocol.
- 4 states direct pharmacies to fill all valid prescriptions.
- Restricting Access
 - 9 states have adopted restrictions on emergency contraception.
 - 1 state legislature, in directing the state to apply for federal approval (known as a waiver) to expand eligibility for Medicaid-covered family planning services, added language aimed at excluding emergency contraception from the services to be covered.
 - 2 states exclude emergency contraception from their contraceptive coverage mandate.
 - 6 states explicitly allow pharmacists to refuse to dispense contraceptives, including emergency contraception.
 - 3 states allow pharmacies to refuse to dispense emergency contraception.
- Gutmacher EC summary

Emergency Contraception Laws

State	Emergency Contraception (EC) Laws		Emergency Contraception (EC) Access		Emergency Contraception (EC) Restrictions		Emergency Contraception (EC) Summary	
	Availability	Access	Availability	Access	Availability	Access	Availability	Access
Alabama	1	0	0	0	0	0	0	0
Alaska	1	0	0	0	0	0	0	0
Arizona	1	0	0	0	0	0	0	0
Arkansas	1	0	0	0	0	0	0	0
California	1	1	1	1	0	0	0	0
Colorado	1	1	1	1	0	0	0	0
Connecticut	1	1	1	1	0	0	0	0
Delaware	1	1	1	1	0	0	0	0
Florida	1	0	0	0	0	0	0	0
Georgia	1	0	0	0	0	0	0	0
Hawaii	1	1	1	1	0	0	0	0
Idaho	1	0	0	0	0	0	0	0
Illinois	1	1	1	1	0	0	0	0
Indiana	1	0	0	0	0	0	0	0
Iowa	1	0	0	0	0	0	0	0
Kansas	1	0	0	0	0	0	0	0
Kentucky	1	0	0	0	0	0	0	0
Louisiana	1	0	0	0	0	0	0	0
Maine	1	1	1	1	0	0	0	0
Maryland	1	1	1	1	0	0	0	0
Massachusetts	1	1	1	1	0	0	0	0
Michigan	1	0	0	0	0	0	0	0
Minnesota	1	0	0	0	0	0	0	0
Mississippi	1	0	0	0	0	0	0	0
Missouri	1	0	0	0	0	0	0	0
Montana	1	0	0	0	0	0	0	0
Nebraska	1	0	0	0	0	0	0	0
Nevada	1	0	0	0	0	0	0	0
New Hampshire	1	1	1	1	0	0	0	0
New Jersey	1	1	1	1	0	0	0	0
New Mexico	1	0	0	0	0	0	0	0
New York	1	1	1	1	0	0	0	0
North Carolina	1	0	0	0	0	0	0	0
North Dakota	1	0	0	0	0	0	0	0
Ohio	1	0	0	0	0	0	0	0
Oklahoma	1	0	0	0	0	0	0	0
Oregon	1	1	1	1	0	0	0	0
Pennsylvania	1	1	1	1	0	0	0	0
Rhode Island	1	1	1	1	0	0	0	0
South Carolina	1	0	0	0	0	0	0	0
South Dakota	1	0	0	0	0	0	0	0
Tennessee	1	0	0	0	0	0	0	0
Texas	1	0	0	0	0	0	0	0
Utah	1	0	0	0	0	0	0	0
Vermont	1	1	1	1	0	0	0	0
Virginia	1	0	0	0	0	0	0	0
Washington	1	1	1	1	0	0	0	0
West Virginia	1	0	0	0	0	0	0	0
Wisconsin	1	0	0	0	0	0	0	0
Wyoming	1	0	0	0	0	0	0	0
District of Columbia	1	1	1	1	0	0	0	0

State Contraceptive Laws

State	Insurance Coverage of Contraceptives				Insurance Providers	
	Prescription Drug & Device Reimbursement	Out-of-Pocket	Cost Sharing	Formulary	Network	Access for Out-of-Network
Alabama	1	0	0	0	0	0
Alaska	1	0	0	0	0	0
Arizona	1	0	0	0	0	0
Arkansas	1	0	0	0	0	0
California	1	1	1	1	1	1
Colorado	1	1	1	1	1	1
Connecticut	1	1	1	1	1	1
Delaware	1	1	1	1	1	1
Florida	1	0	0	0	0	0
Georgia	1	0	0	0	0	0
Hawaii	1	1	1	1	1	1
Idaho	1	0	0	0	0	0
Illinois	1	1	1	1	1	1
Indiana	1	0	0	0	0	0
Iowa	1	0	0	0	0	0
Kansas	1	0	0	0	0	0
Kentucky	1	0	0	0	0	0
Louisiana	1	0	0	0	0	0
Maine	1	1	1	1	1	1
Maryland	1	1	1	1	1	1
Massachusetts	1	1	1	1	1	1
Michigan	1	0	0	0	0	0
Minnesota	1	0	0	0	0	0
Mississippi	1	0	0	0	0	0
Missouri	1	0	0	0	0	0
Montana	1	0	0	0	0	0
Nebraska	1	0	0	0	0	0
Nevada	1	0	0	0	0	0
New Hampshire	1	1	1	1	1	1
New Jersey	1	1	1	1	1	1
New Mexico	1	0	0	0	0	0
New York	1	1	1	1	1	1
North Carolina	1	0	0	0	0	0
North Dakota	1	0	0	0	0	0
Ohio	1	0	0	0	0	0
Oklahoma	1	0	0	0	0	0
Oregon	1	1	1	1	1	1
Pennsylvania	1	1	1	1	1	1
Rhode Island	1	1	1	1	1	1
South Carolina	1	0	0	0	0	0
South Dakota	1	0	0	0	0	0
Tennessee	1	0	0	0	0	0
Texas	1	0	0	0	0	0
Utah	1	0	0	0	0	0
Vermont	1	1	1	1	1	1
Virginia	1	0	0	0	0	0
Washington	1	1	1	1	1	1
West Virginia	1	0	0	0	0	0
Wisconsin	1	0	0	0	0	0
Wyoming	1	0	0	0	0	0
District of Columbia	1	1	1	1	1	1

Professional Barriers

- Tracey A. Wilkinson, MD, MPH; Nisha Fahey, BA; Emily Suther, MA; Howard J. Cabral, PhD, MPH; Michael Silverstein, MD, MPH
- Access to Emergency Contraception for Adolescents**
- JAMA.* 2012;307(4):362-363.

Implantable Contraceptives

- Most effective and safe method (ACOG)
- Insurance must cover under ACA
- BUT – what about life after *Hobby Lobby*? (20 States already allowed exemptions to mandates)
- AND

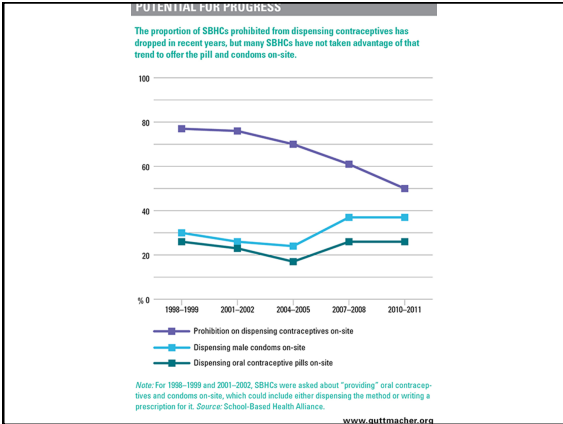
We Didn't Get the Memo!

- Primary Care Physicians' Concerns May Affect Adolescents' Access to Intrauterine Contraception**
- Susan F. Rubin,¹ Giselle Campos,¹ and Susan Markens^{1,2}
- <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3913563/>

PCPs and Obs believe STD risk trumps – which is now disproven

From a school system not so far away

 • **CONDOM**
 » **WARS!**



- SelectedResources**
- Gutmacher Institute
 - Center for Adolescent Health Law
www.cahl.org/about/leadership
 - <http://www.advocatesforyouth.org/about-us/programs-and-initiatives/738?task=view>