



**Bill:** House Bill 939 – *Maryland Commission for Women – Maryland Collaborative to Advance Implementation of Coverage for Over-the-Counter Birth Control*

**Sponsor:** Delegate Joseline Peña-Melnyk

**Hearing Date:** February 20, 2025

**Position: SUPPORT**

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Chair Peña-Melnyk, Vice Chair Cullison and Members of the Health and Government Operations Committee,

The Maryland Commission for Women is in strong support of House Bill 939, which would establish the *Maryland Collaborative to Advance Implementation of Coverage of Over-the-Counter Birth Control*.

The Maryland Commission for Women was established by the legislature in 1971 to encourage the study of women's issues, promote effective solutions to the challenges faced by Maryland's women, and make informed recommendations to the executive branch and the legislature.

To accomplish this goal we are required to work in partnership with state agencies and community groups across the state on a wide range of topics. Our statute explicitly empowers the Commission to convene advisory groups on a wide range of issues, including women's health issues. Chair Peña-Melnyk's HB939 fits perfectly within our statutory responsibilities and our 3 year workplan.

This legislation requires the Commission address an issue that is of critical importance to women, over-the-counter birth control access. It requires we do so in partnership with multiple state agencies as well as relevant external stakeholders and consumer groups. **The Commission for Women voted unanimously to prioritize this proposed project, and assure the Health and Government Operations Committee that this work can be accomplished utilizing our existing resources.**

The over-the-counter birth control landscape changed significantly with the FDA approval of Opill in March 2024. Over-the-counter birth control has the potential to significantly reduce barriers to contraception, particularly for women in underserved communities who face challenges related to healthcare access, insurance coverage, and provider availability.

Maryland has been a leader in requiring insurance coverage for OTC birth control in our state regulated plans and our state employee insurance program. These bills passed in 2016 and 2018, were sponsored by Delegate Hettleman, Senator Delores Kelley, and former Delegate Ariana Kelly, our Executive Director. Nine states have since followed Maryland's lead in adopting this requirement.

Ensuring effective and comprehensive implementation of this access requires coordination with numerous stakeholders. HB 939 ensures that the Maryland Collaborative will address the real life challenges of

implementing this law by:

- Studying existing barriers in Maryland to obtaining over-the-counter birth control, including cost, insurance coverage, and pharmacy availability.
- Engaging stakeholders across sectors to develop strategies that enhance access.
- Utilizing existing resources including the recommendations in the Ibis Reproductive Health report from November 2024 “*Free the Pill and Cover it Too: Strategies for Making OTC I6 Coverage Work in the Real World*” and information from stakeholders solicited in 2024 by the U.S. Department of Labor, the U.S. Department of the Treasury, and the U.S. Department of Health and Human Services.
- Providing evidence-based recommendations to the Governor and General Assembly to guide policy decisions.

HB 939 ensures that the Collaborative’s findings are actionable and timely, keeping Maryland at the forefront of reproductive healthcare policy. The legislation requires an interim report by January 1, 2026, and a final report by December 1, 2027. The Maryland Commission for Women is able to staff the collaborative and produce the required reports.

We urge a favorable report on HB 939 and look forward to contributing to this important work collaboratively. Our Executive Director Ariana Kelly is available to answer any further questions at [Ariana.Kelly@Maryland.Gov](mailto:Ariana.Kelly@Maryland.Gov).

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## Maryland Commission for Women

### Staff

Ariana Kelly,  
Executive Director

Danelle Buchman  
Program Manager

Genesis Franco  
Management Associate

Camille Fabiyi  
Policy Assistant

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