

Maryland Commission for Women

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www.marylandwomen.org

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HB 1076 Higher Education Institutions - Over-the-Counter Contraception - Access and Reporting

SPONSOR: Delegate Stephanie Smith

HEARING: March 3, 2026

POSITION: SUPPORT

Chair Barnes, Vice Chair Kaiser and Members of the Appropriations Committee,

The Maryland Commission for Women urges a **FAVORABLE** report on **HB1076 Higher Education Institutions - Over-the-Counter Contraception - Access and Reporting**. We thank sponsor Delegate Stephanie Smith for her leadership in introducing this legislation.

The Maryland Commission for Women has been working in partnership with the Maryland Higher Education Commission, the American Society for Emergency Contraception and the Straus Foundation to support implementation of HB 477/SB 341 from 2023 and HB 367/SB 527 from 2024.

These laws recognize that access to contraception enables students to achieve their academic and workforce goals, leading to greater financial security and improved health outcomes throughout their lives.¹The Maryland Commission for Women is also staffing the Maryland Over-the-Counter Contraception Collaborative, working to ensure contraception access to the larger population.

It is through our work in this space that the need for HB1032 became evident to the Commission. HB 1032 is a straightforward bill that aligns the contraceptive access requirements for public two-year and four-year institutions of higher education in the state. It amends the 2023 and 2024 legislation that created first-in-the-nation on-campus access to over-the-counter (OTC) contraception.

While the original legislation created strong programs reflecting the similar but different needs of two- and four-year schools, there were two technical differences between the statutes whose alignment will strengthen the

¹ Brittany Lee. *Opportunities and Barriers to Contraception Access on College Campuses*. American Society of State and Territorial Health Officials.
<https://www.astho.org/communications/blog/opportunities-barriers-to-contraception-access-on-college-campuses/>

programs themselves, as well as the state's ability to be responsive to the needs of students and colleges.

First, HB 1076 establishes the requirement that four-year universities submit their reproductive health plans to MHEC on an annual basis. Community colleges already submit these reports, and as a result, MHEC is able to assist them with implementation challenges and assess program needs. Four-year universities are already required to create these plans; sending them to MHEC is a small additional step that will offer huge benefits to colleges, students, and other stakeholders.

Second, the legislation clarifies what products community colleges must make available on campus. The legislation governing four-year universities explicitly states that these institutions must provide all FDA-approved forms of OTC contraception (which currently include condoms, Plan B/generic levonorgestrel emergency contraception, and the O Pill daily contraceptive pill); while the legislative intent was the same for the statute governing community colleges, the language is more general. As a result, some colleges have interpreted the statute as less comprehensive than the sponsors intended. This bill aligns the language in the two statutes to make clear that all public institutions of higher education in the state must provide all forms of FDA-approved OTC contraception.

With these two technical changes, the General Assembly can further strengthen campus access to OTC contraceptive products and help students achieve their academic goals. For these reasons, the Maryland Commission for Women urges a **FAVORABLE** report. For specific questions, please contact our Executive Director, Ariana Kelly, at Ariana.Kelly@Maryland.Gov or via telephone at 240-338-0591.