

## HR 5309

Access to Birth Control Act

**Congress:** 111 (2009–2011, Ended)

**Chamber:** House

**Policy Area:** Health

**Introduced:** May 13, 2010

**Current Status:** Referred to the House Committee on Energy and Commerce.

**Latest Action:** Referred to the House Committee on Energy and Commerce. (May 13, 2010)

**Official Text:** <https://www.congress.gov/bill/111th-congress/house-bill/5309>

### Sponsor

**Name:** Rep. Maloney, Carolyn B. [D-NY-14]

**Party:** Democratic • **State:** NY • **Chamber:** House

### Cosponsors (21 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Baldwin, Tammy [D-WI-2]	D · WI		May 13, 2010
Rep. Capps, Lois [D-CA-23]	D · CA		May 13, 2010
Rep. Farr, Sam [D-CA-17]	D · CA		May 13, 2010
Rep. Filner, Bob [D-CA-51]	D · CA		May 13, 2010
Rep. Inslee, Jay [D-WA-1]	D · WA		May 13, 2010
Rep. Moore, Dennis [D-KS-3]	D · KS		May 13, 2010
Rep. Moore, Gwen [D-WI-4]	D · WI		May 13, 2010
Rep. Olver, John W. [D-MA-1]	D · MA		May 13, 2010
Rep. Stark, Fortney Pete [D-CA-13]	D · CA		May 13, 2010
Rep. Sutton, Betty [D-OH-13]	D · OH		May 13, 2010
Rep. Tierney, John F. [D-MA-6]	D · MA		May 13, 2010
Rep. Wasserman Schultz, Debbie [D-FL-20]	D · FL		May 13, 2010
Rep. Price, David E. [D-NC-4]	D · NC		Jun 8, 2010
Rep. Adler, John H. [D-NJ-3]	D · NJ		Jun 24, 2010
Rep. Kucinich, Dennis J. [D-OH-10]	D · OH		Jul 14, 2010
Rep. Rothman, Steven R. [D-NJ-9]	D · NJ		Jul 14, 2010
Rep. Cohen, Steve [D-TN-9]	D · TN		Jul 20, 2010
Rep. Connolly, Gerald E. [D-VA-11]	D · VA		Sep 14, 2010
Del. Norton, Eleanor Holmes [D-DC-At Large]	D · DC		Nov 16, 2010
Rep. Woolsey, Lynn C. [D-CA-6]	D · CA		Nov 16, 2010
Rep. Holt, Rush [D-NJ-12]	D · NJ		Dec 2, 2010

### Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred To	May 13, 2010

## Subjects & Policy Tags

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### Policy Area:

Health

### Related Bills

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Bill	Relationship	Last Action
111 S 3357	Identical bill	<b>May 13, 2010:</b> Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

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### Summary (as of May 13, 2010)

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Access to Birth Control Act - Amends the Public Health Service Act to require pharmacies to comply with certain rules related to contraceptives, including: (1) providing a customer a contraceptive without delay if it is in stock; (2) immediately informing a customer if the contraceptive is not in stock and either transferring the prescription to a pharmacy that has the contraceptive in stock or expediting the ordering of the contraceptive and notifying the customer when it arrives, based on customer preference, except for pharmacies that do not ordinarily stock contraceptives in the normal course of business; and (3) ensuring that pharmacy employees do not take certain actions relating to a request for contraception, including intimidating, threatening, or harassing customers, interfering with or obstructing the delivery of services, intentionally misrepresenting or deceiving customers about the availability of contraception or its mechanism of action, breaching or threatening to breach medical confidentiality, or refusing to return a valid, lawful prescription.

Provides that a pharmacy is not prohibited from refusing to provide a contraceptive to a customer if: (1) it is unlawful to dispense the contraceptive to the customer without a valid, lawful prescription and no such prescription is presented; (2) the customer is unable to pay for the contraceptive; or (3) the employee of the pharmacy refuses to provide the contraceptive on the basis of a professional clinical judgment.

Provides that this Act does not preempt state law or any professional obligation of a state board that provides greater protections for customers.

Sets forth civil penalties and establishes a a private cause of action for violations of this Act.

### Actions Timeline

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- **May 13, 2010:** Introduced in House
- **May 13, 2010:** Sponsor introductory remarks on measure. (CR E847-848)
- **May 13, 2010:** Referred to the House Committee on Energy and Commerce.