

# Federal Agencies Seek to Expand Coverage for OTC Contraceptives

On Oct. 17, 2024, the IRS issued [Notice 2024-75](#), expanding the list of preventive care benefits permitted to be provided by a high deductible health plan (HDHP) without a deductible to include:

- Over-the-counter (OTC) oral contraceptives, including OTC birth control pills and emergency contraceptives, for individuals potentially capable of becoming pregnant, regardless of whether they are purchased with a prescription; and
- Male condoms, regardless of whether they are purchased with a prescription.

In addition, on Oct. 21, 2024, federal agencies released a [proposed rule](#) that, if finalized, would expand the Affordable Care Act's preventive care mandate by requiring most health plans and health insurance issuers to cover OTC contraceptives without imposing cost sharing (e.g., deductibles, copayments or coinsurance) or requiring a prescription.

Currently, health plans and issuers are only required to cover OTC preventive products without cost sharing when they are prescribed by a health care provider. In July 2023, the U.S. Food and Drug Administration approved the first OTC daily oral contraceptive, which is now widely available for sale in stores and online.