

108TH CONGRESS
2D SESSION

H. R. 4976

To amend title 10, United States Code, to require emergency contraception to be included on the uniform formulary of pharmaceutical agents of the pharmacy benefits program of the Department of Defense.

IN THE HOUSE OF REPRESENTATIVES

JULY 22, 2004

Mr. MICHAUD (for himself, Ms. SLAUGHTER, Ms. DEGETTE, and Mrs. DAVIS of California) introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To amend title 10, United States Code, to require emergency contraception to be included on the uniform formulary of pharmaceutical agents of the pharmacy benefits program of the Department of Defense.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. REQUIREMENT TO INCLUDE EMERGENCY CON-**
2 **TRACEPTION ON UNIFORM FORMULARY OF**
3 **PHARMACEUTICAL AGENTS OF THE PHAR-**
4 **MACY BENEFITS PROGRAM OF THE DEPART-**
5 **MENT OF DEFENSE.**

6 Section 1074g(a) of title 10, United States Code, is
7 amended by adding at the end the following new para-
8 graph:

9 “(9)(A) Emergency contraception shall be included
10 on the uniform formulary.

11 “(B) Notwithstanding paragraph (4), no prior au-
12 thorization may be required for emergency contraception.
13 Nothing in the preceding sentence may be construed as
14 waiving any provision of the Federal Food, Drug, and Cos-
15 metic Act (21 U.S.C. 301 et seq.) or any other Act admin-
16 istered by the Food and Drug Administration.

17 “(C) In this paragraph, the term ‘emergency contra-
18 ception’ means a drug, drug regimen, or device that is—

19 “(i) used postcoitally;

20 “(ii) prevents pregnancy by delaying ovulation,
21 preventing fertilization of an egg, or preventing im-
22 plantation of an egg in a uterus; and

23 “(iii) is approved by the Food and Drug Ad-
24 ministration.”.

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