



Written by [Dave Bohon](#) on June 12, 2013

White House Won't Fight Over-the-Counter Plan B Contraceptives for Minors

The Obama administration has announced that it will drop its opposition to a federal court ruling that makes “morning after” contraceptive pills available over-the-counter without a prescription and with no age limitations. The ruling means that girls of any age will be able to purchase the contraceptive without parental consent. The “emergency” contraceptive, designed to be taken within 72 hours after a woman has sex, is known by pro-life activists as the “abortion pill” because of evidence that it can cause spontaneous abortion in women who take it by preventing a newly conceived embryo from implanting in the uterine wall.



The [original decision](#) making the oral contraceptive available to underage girls came in April from U.S. District Judge Edward Korman, who ruled that a decision, made in 2011 by Secretary of Health and Human Services (HHS) Kathleen Sebelius, to keep the pills out of the hands of girls under age 17 was “arbitrary, capricious, and unreasonable.” Korman is the same judge who ordered that the “morning after” contraceptives be made available without a prescription to women 17 and older. Previously, they had been available over-the-counter only to girls 18 and older.

The Obama administration’s Justice Department had been making a show of fighting implementation of the ruling, but, as reported by the [New York Times](#), announced June 10 “that it would accept its losses in recent court rulings and begin putting into effect a judge’s order to have the Food and Drug Administration certify the drug for nonprescription use. In a letter to Judge Edward R. Korman of the U.S. District Court for the Eastern District of New York, the administration said it would comply with his demands.” According to the *Times*, the Justice Department “appears to have concluded that it might lose its case with the appeals court and would have to decide whether to appeal to the Supreme Court. That would drastically elevate the debate over the politically delicate issue for Mr. Obama.”

In 2011 President Obama postured as a concerned father when he agreed with Sebelius over the restriction on such “emergency” contraceptives as “Plan B,” telling reporters that “as the father of two young daughters, I think it is important for us to make sure that ... we apply some common sense to various rules when it comes to over-the-counter medicine.” He added that “when it comes to 12-year-olds or 13-year-olds, the question is: Can we have confidence that they would potentially use Plan B properly?” The common-sense answer was no, as HHS continued to restrict the pills to only older teens. With the Department of Justice announcement, the White House has dropped all pretense of opposition to allowing teens — and even pre-teens — access to the contraceptives.

Cecile Richards, head of abortion giant Planned Parenthood and a close Obama ally, praised the administration’s decision. “This is a huge breakthrough for access to birth control and a historic moment for women’s health and equity,” declared Richards, noting with joy that the decision “will make



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emergency contraception available on store shelves, just like condoms, and women of all ages will be able to get it quickly in order to prevent unintended pregnancy.”

Similarly, Annie Tummino of a group called National Women’s Liberation insisted that women and girls should have “the absolute right to control our bodies without having to ask a doctor or a pharmacist for permission.” She said in a statement that it was high time “the administration stopped opposing women having access to safe and effective birth control.”

By contrast, pro-life and pro-family leaders noted the ease with which the administration caved in on what previously had appeared to be an important issue to the president. Anna Higgins, director of the Center for Human Dignity at the [Family Research Council](#), said that the administration’s decision to throw in the towel was a demonstration of Obama’s “willingness to put politics ahead of the health and safety of girls. We are disappointed that this administration has once again sided with its political allies and ignored the safety of girls and the rights of parents.”

Marjorie Dannenfelser of the [Susan B. Anthony List](#) said the Department of Justice decision amounted to a “dangerous about-face for the Obama administration, which previously seemed to agree that requiring a doctor’s prescription for potentially dangerous drugs was simply common sense. This decision endangers young girls by removing the protection that comes along with doctors and parents. Only abortion extremists rejoice at this news which has nothing to do with the health of children.”

And Dr. Charmaine Yoest of [Americans United for Life](#) noted that the decision would allow “the abortion industry to gamble with young girls’ health in distributing a life-ending drug, with no real understanding of the long-term implications on their bodies.” Yoest warned that dropping the common-sense restrictions on the “morning after” pill would also make it easy for “young girls pressured into sex or even abused by adults to be manipulated into taking pills that cover up what is a criminal act. Young girls need medical supervision in taking such a potent and potentially life-ending drug. The implications for informed consent — and the long-term health impact on women of all ages — are deeply troubling.”

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