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**COURT OF APPEALS TO CONSIDER WOMEN'S HEALTH AND WELLNESS ACT  
Rebuffed by Lower Courts, Catholic Charities Again Challenges Women's Health Law**

**DATE:** Wednesday, September 6, 2006

**TIME:** 2:00 pm

**PLACE:** New York State Court of Appeals  
Eagle Street  
Albany, New York

The New York State Court of Appeals will hear a challenge to the Women's Health and Wellness Act on September 6 in Albany. Family Planning Advocates of New York State expressed confidence that the Court of Appeals will uphold all lower court rulings and affirm the Women's Health and Wellness Act. The Act was signed into law in 2002 to require insurance companies to cover women's health needs including contraception.

Catholic Charities has repeatedly sought to dismantle the law. Catholic Charities was defeated in its initial court challenge in November 2003 and subsequently lost an appeal in January 2006 in the Appellate Division of New York State Supreme Court.

Oral arguments in this appeal are scheduled to be heard by the New York State Court of Appeals, the State's highest court on Wednesday, September 6, at 2:00 pm.

"Every court to hear this case has wisely upheld the Women's Health and Wellness Act," said JoAnn Smith, president and CEO of Family Planning Advocates of New York State. "This important law enables women to receive the medical care they need and deserve. We are confident that the Court of Appeals will also rule in favor of women's health."

The Women's Health and Wellness Law helps to end discrimination against women in insurance coverage by enhancing access to reproductive health care including contraception. While birth control is the most widely used prescription drug for women of reproductive age, it was routinely excluded from insurance plans. According to the Guttmacher Institute, 49% of typical large-group insurance plans failed to routinely cover any reversible contraceptive method. Women of reproductive age were forced to spend 68% more on out-of-pocket health care costs than men. However, most insurance plans did not hesitate to provide coverage for Viagra when this product was introduced.

A law similar to the Women's Health and Wellness Act was upheld by California's highest court in 2004; an appeal to that decision was rejected by the U.S. Supreme Court.

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