



Testimony of Sola Stamm, New York Lawyers for the Public Interest

before

The New York City Council - Committee on Women's Issues

regarding

**Access to Menstrual Hygiene Products in NYC Schools, Shelters and Correctional
Facilities**

Int. No. 1122, 1123, 1128, Res. No 1012

June 2nd, 2016

Good morning Council Members Julissa Ferreras-Copeland, Melissa Mark-Viverito, Ydanis A. Rodriguez and members of the committees, and thank you for the opportunity to provide testimony in support of Intros 1122, 1123, 1128 and Resolution 1012. My name is Sola Stamm and I am a Health Justice Community Organizer at the New York Lawyers for the Public Interest (NYLPI), a non-profit advocacy organization. NYLPI's Health Justice Program uses a wide range of advocacy tools, including community organizing, individual representation, impact litigation, and legislative advocacy, to try to address and resolve health disparities throughout NYC.

With these advocacy strategies, we aim to eliminate discrimination and systemic barriers that limit access to health care, as well as address social determinants of health so that all New Yorkers can live a healthy life. It is from this health justice perspective that NYLPI strongly supports the passage of the legislation you are considering here today.

New York City is becoming an exemplary leader in working towards menstrual equity, particularly, in regards to the efforts advocates are making to eliminate taxes associated with menstrual hygiene products due to the FDA classification of these products as medical devices. Much like condoms, sunscreen, and prescription drugs—all of which are tax exempt in New York State—menstrual hygiene products are

critical health care products. Notably, however, these products are often inaccessible to individuals and communities lacking economic resources.

The passage of Intro 1122, 1123 and 1128 would require DOHMH—the city’s health department—to make menstrual hygiene products available in NYC schools, temporary shelters, and correctional facilities. Making these products available at schools sends students the message that each of their attendance and academic focus are valuable. Further, these bills would aim to reduce stigma associated with menstruation through the provision of menstrual education and informational resources. Additionally, by eliminating the barriers that individuals living in temporary shelters face in taking care of their health while also trying to get by on limited resources, this legislation sends a strong message that each of these individuals deserves the same access to health care irrespective of where they happen to be sleeping at night. And just as importantly, incarcerated individuals would likewise not be limited to menstrual hygiene product rations, which often manifests as dehumanizing treatment from facility staff, or face financial constraints when having to purchase these items from commissary.

NYLPI is encouraged by the success and expansion of Council Member Ferreras-Copeland’s Queens based pilot program that made menstrual hygiene products accessible in 25 different schools. The results of this pilot reduces shame that students experience toward their reproductive physiology and needs, and also demonstrates the connection between academic focus and accessible health resources. We are also encouraged by the bills before you today, and hope that future efforts continue to be made that reflect the realities of NYC students, temporary shelter residents and incarcerated populations.

In regards to the particular language in the bills before you, NYLPI proposes changing “feminine hygiene products” to “menstrual hygiene products”. This modification of language is more inclusive to the spectrum of gender identities who experience menstruation. NYLPI also proposes that each bill specifies that menstrual hygiene products are made “free of cost” to individuals to clarify the standards of accessibility. Lastly, NYLPI recommends that in addition to public prisons, Intro. No 1122 make clear that immigration detention facilities in New York make menstrual hygiene products accessible, upon request, for the civil detainees held within them.

NYLPI thanks the New York City Council for its commitment to reproductive health advocacy, which it has demonstrated through the introduction of bills such as the ones

before you today. Passage of Intro No. 1122, No. 1123 and No. 1128 is a necessary measure to ensuring that health resources and information are made accessible throughout NYC, and to reducing menstrual stigma. NYLPI thanks the Council for holding this hearing and for its commitment to the health and well-being of NYC communities, and we urge you to pass these pieces of legislation.

Thank you.