



## Evofem Biosciences Commends Tri-Agencies for Clarifying that Contraceptives Must be Covered at No Cost to Individuals

SAN DIEGO, July 29, 2022 /PRNewswire/ -- Evofem Biosciences, Inc., (Nasdaq: EVFM), a women's healthcare company, today commended the U.S. Department of Health and Human Services, alongside the Departments of Labor and of the Treasury ("the Tri-Agencies"), for taking **action to clarify protections for birth control coverage** under the Affordable Care Act (ACA).

"Yesterday, the United States took a critical step forward in protecting the right to contraception. The Departments of Labor, Health and Human Services, and Treasury released guidance clarifying that group health plans and insurers must cover contraceptives, including emergency contraceptives, at no cost to individuals," said Sandra Pelletier, CEO of Evofem Biosciences. "It is truly gratifying that our government is supporting those of us across the country — in the private sector and in advocacy organizations — who are on the front lines of producing contraception options and having them fully covered in healthcare plans."

Under the ACA, most private health plans are required to provide birth control and family planning counseling at no additional cost.

Evofem's market access team intends to renew discussions with insurers and pharmacy benefit managers (PBMs) that are not yet compliant with these guidelines to ensure they cover **Phexxi® (lactic acid, citric acid and potassium bitartrate)** at no cost to individuals.

### About Evofem Biosciences

Evofem Biosciences, Inc., (Nasdaq: EVFM) is developing and commercializing innovative products to address unmet needs in women's sexual and reproductive health, including hormone-free, woman-controlled contraception and protection from chlamydia and gonorrhea. The Company's first FDA-approved product, Phexxi® (lactic acid, citric acid and potassium bitartrate), is a hormone-free, on-demand prescription contraceptive vaginal gel. It comes in a box of 12 pre-filled applicators and is applied 0-60 minutes before each act of sex. The Company expects to report

top-line data this fall from its registrational Phase 3 EVOGUARD clinical trial evaluating Phexxi for two potential new indications – prevention of chlamydia and prevention of gonorrhea in women. Learn more at [phexxi.com](http://phexxi.com) and [evofem.com](http://evofem.com).

Phexxi® is a registered trademark of Evofem Biosciences, Inc.

## Forward-Looking Statements

This press release includes "forward-looking statements," within the meaning of the safe harbor for forward-looking statements provided by Section 21E of the Securities Exchange Act of 1934, as amended, and the Private Securities Litigation Reform Act of 1995, including, without limitation, evaluations and judgments regarding Evofem, its products, its product candidates and their development, demand for Evofem's products and product candidates and Affordable Care Act. Various factors could cause actual results to differ materially from those discussed or implied in the forward-looking statements, and you are cautioned not to place undue reliance on these forward-looking statements, which are current only as of the date of this press release. Each of these forward-looking statements involves risks and uncertainties. Important factors that could cause actual results to differ materially from those discussed or implied in the forward-looking statements, or that could impair the value of Evofem Biosciences' assets and business are disclosed in the Company's SEC filings, including its Annual Report on Form 10-K for the year ended December 31, 2021, filed with the SEC on March 10, 2022 and its Quarterly Report on Form 10-Q filed with the SEC on May 10, 2022. All forward-looking statements are expressly qualified in their entirety by such factors. The Company does not undertake any duty to update any forward-looking statement except as required by law.

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