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Abortion Activists

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Team: Honeybee Health co-founders Peter Wang and Jessica Nouhavandi.

When **Jessica Nouhavandi** and **Peter Wang** founded online pharmacy **Honeybee Health Inc.** in late 2017, they didn't imagine that six years later their Culver City company would be on the front lines in the nation's abortion wars.

But now, as one of the nation's leading providers of online mail-order medication abortion pills, Honeybee Health has taken center stage in the effort to ensure that as many women as possible have access to medication abortions, even as anti-abortion activists are pushing to outlaw the pills entirely.

The company has filed an amicus brief siding with the defendant, the Food and Drug Administration, in a lawsuit filed by anti-abortion groups aiming to overturn the FDA's 2000 approval of mifepristone – the first pill in the two-pill medication regimen – and subsequent policies to expand access to that drug. A decision from the Fifth U.S. Circuit Court of Appeals in this landmark case is pending.

Honeybee Health is also working with abortion rights activists to move legislation in Sacramento granting a liability shield to medication and surgical abortion providers in California who make treatment or pills available to residents of states where abortion is now outlawed.

And, as the public face of Honeybee Health, Nouhavandi has emerged as a leading national spokeswoman for efforts to increase access to medication abortions, which, according to several reports, now comprise roughly half of intentional pregnancy terminations.

"This is a matter of health care and shouldn't be a political issue," Nouhavandi said. "But it is a political issue and so I have gotten involved."



As a result
personal security when she travels.

Generic medication focus

This wasn't in Nouhavandi's business plan when she and Wang started their business in 2017 and launched online operations around the beginning of 2019.

Nouhavandi and Wang had intended their online pharmacy business to help patients without health insurance obtain affordable generic medications. The business model was simple: obtain large quantities of hundreds of commonly prescribed generic medications and sell those medications at steep discounts of up to 80% from prevailing market rates to uninsured patients.

And for the company's first two full years selling online – 2019 and 2020 – it grew wildly fast. For the three-year period ending in 2020, revenues grew more than 19,000% to \$5.2 million, making Honeybee Health by far the top company on the Business Journal's Fastest Growing Private Companies list.

But then the pandemic hit and changed things overnight.

The pandemic forced the immediate shutdown of most abortion clinics – even those primarily dispensing medication abortions – in spring 2020. Clinic operators immediately reached out to online pharmacy operators to try to convince them to mail the two-pill regimen for medication abortions – mifepristone and misoprostol – to patients once clinicians had prescribed them through telehealth sessions.

But at the time, there was no clear guidance from the FDA on whether this practice was even legal. When the agency approved mifepristone in 2000, it explicitly said it had to be prescribed by a clinician following an in-person patient visit. The FDA didn't outright ban mail-order sales, but nearly all pharmacy operators interpreted it that way and chose not to heed the calls from clinic operators to provide the pills via online mail order.

All except Nouhavandi and Wang's Honeybee Health, which began providing the pills in the late spring of 2020.

"We were pioneers in this gray area," Nouhavandi said.

This move was welcomed by women's reproductive health rights activists.

"Honeybee was the first to actually look at the restrictions and say, 'Hey wait a moment, they don't mention anything about mailing,'" said **Francine Coeytaux**, co-founder and now strategic advisor to Plan C Pills, a nonprofit campaign whose fiscal sponsor is Washington D.C.-based National Women's Health Network. "It was pushing the interpretation. She (Nouhavandi) stepped up and started doing this."

At that time, Honeybee kept quiet about its online sales of abortion pills, choosing not to mention it for a previous Business Journal story in late 2021. Nouhavandi said recently this was an intentional policy aimed at avoiding a political outcry as Honeybee, along with other medication providers, attempted to convince the FDA to suspend its in-person requirement for the dispensing of mifepristone during the pandemic emergency.

The FDA paused its in-person clinic requirement in May 2020, a move that was upheld by a judge in July of that year. After some back-and-forth over the next year, the suspension was made permanent in late 2021.

That suspension cleared the way for Honeybee Health to sell mifepristone legally. Because of its head start, Honeybee quickly became one of the nation's largest providers of online medication abortion pills. By mid-2021, sales of medication abortion pills comprised roughly one-third of Honeybee's overall revenue, which was about \$15 million for that entire year.

Dobbs decision

But Nouhavandi and Wang knew that this would not be the end of their difficulties in selling abortion pills. The other shoe dropped a year ago, when the United States Supreme Court, in its landmark ruling in *Dobbs vs. Jackson Women's Health Organization*, overturned the 1973 *Roe vs. Wade* decision that legalized abortion nationwide and essentially left abortion rules up to individual states.

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states including in their language bans on medication abortions. And activists in many of those states have since set their sites on outlawing the sale of abortion pills nationwide.

“We now have a cadre of lawyers on staff just to track all this legislation and all the court battles now going on,” Nouhavandi said. “It’s a state-by-state battle right now.”

Unlike Honeybee’s previous stance in pushing the envelope, Nouhavandi said the company is observing the abortion bans enacted in the 24 states and is not selling abortion pills to individual patients or medical providers in those states with complete bans. “In most of those states, we sell other generic medications that have nothing to do with abortions and we don’t want to jeopardize our licenses to sell those medications in those states,” she said.

But in the remaining states, Honeybee Health is welcomed.

“We first learned about Honeybee Health through others in the abortion space as the pioneering first pharmacy willing to ship mifepristone,” said **Kiki Freedman**, chief executive of **Hey Jane**, a New York-based virtual clinic offering telemedicine abortion care.

“We had previously been mailing (pills) from doctors’ offices, and their (Honeybee’s) entry into the market allowed us to massively streamline our operations and reach more patients,” Freedman added.

Nouhavandi added that in the last couple years Honeybee has packaged the sale of abortion pills with other related reproductive health products, including pregnancy tests, anti-nausea medications and contraception.

In the meantime, Honeybee Health in January of this year became the first online pharmacy certified by the FDA to sell mifepristone on an ongoing basis, subject to meeting and maintaining certain safety requirements. (The other medication abortion pill, misoprostol, has long been FDA-approved for other uses, such as controlling gastric ulcers and is therefore readily available. The FDA has also approved misoprostol for use in terminating abortions, but only when paired with mifepristone as part of a two-pill regimen.)

B-to-B Focus

The abortion pill business line and the pandemic also combined to open up another unanticipated market for Honeybee Health: Physician practices, telehealth providers and virtual care partners – “anybody who provides some or all of their care online,” as Nouhavandi put it – as markets for the rest of their generic medication products.

As recently as two years ago, 80% to 90% of Honeybee’s business was direct-to-patient, with most of those patients being uninsured. But that has now started to change.

“Virtual care was something that was foreign to most people before the pandemic,” Nouhavandi said. “But once they started using it, people like the privacy, convenience and speed. That’s the future of providing health care.”

The goal, she said, is to become the online pharmacy of choice, particularly for telehealth providers with lots of uninsured patients. To help with this effort, Nouhavandi said Honeybee intends to launch another funding round later this year.

“We are looking to sign up more and more telehealth providers,” she said.