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AJR 16 – Urging Science-Based Guidelines for Blood Donation

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Sponsor: Equality California

In Brief

Assembly Joint Resolution 16 calls on President Barack Obama to encourage the Secretary of Health and Human services to direct the Food and Drug Administration (FDA) to develop science-based guidelines for blood donation that focus on risk-assessment of individuals instead of arcane and discriminatory standards that continue to discriminate against gay and bisexual men.

The Issues

Despite modern technology that makes HIV detection easily achievable, and a vastly improved understanding of the virus, the FDA still currently prohibits men from donating blood for life if they have even once had sex with another man. The FDA places thousands of healthy men in a “high-risk” blood donor category without any individual assessment of risk. Even with a clean bill of health, a gay man is considered more of a threat to the blood supply than a straight man who was treated for chlamydia, syphilis, gonorrhea, venereal warts, and genital herpes within the past year. This practice stigmatizes responsible sexual behavior between men while ignoring high-risk behavior between different-sex partners. More importantly, this policy creates stigma without any justifiable public health imperative, and results in negative attitudes to blood donor eligibility criteria and blood collection facilities.

The FDA has proposed new blood donor guidelines that, regrettably, continue to discriminate against gay and bisexual men. The new guidelines would continue to prohibit blood donation from all sexually active gay and bisexual men. Specifically, all men who have had sex with another man within the past 12 months would be prohibited from donating blood under the new guidelines.

Background

The current federal FDA donor deferral policy, first established in 1983 when the FDA had no way of testing blood or plasma for HIV, effectively prohibits blood donation by men who have had sex with another man even one time since 1977. Medical organizations such as the American Red Cross, the American Association for Blood Banks, America’s Blood Centers, the American Medical Association, and others have called for a reevaluation and/or repeal of this policy citing its excessively broad nature and advances in blood testing.

The Solution

AJR 16 responds to these new proposed guidelines by calling on President Obama to encourage the Secretary of Health and Human services to direct the FDA to replace antiquated standards that focus on sexual orientation with modern science-based guidelines that focus on risk factors associated with individual behavior. Outside of the United States, countries like Spain, Italy, Russia, Mexico and Portugal have adopted blood donation policies that utilize assessments of risk of an individual’s behavior, instead of the sex of a person’s sexual partners.

This resolution would make clear that California’s elected leaders join medical and social groups alike in urging development of science-based guidelines for blood donation that focus on risk-assessment of individuals instead of the arcane and discriminatory standards that continue to discriminate against gay and bisexual men.

For More Information

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