

1 [Requesting that the Prohibition on Gay Men Donating Blood be Revised]

2
3 **Resolution calling upon the United States Food and Drug Administration to revise**
4 **their longstanding prohibition on gay men donating blood.**

5
6 WHEREAS, The United States Food and Drug Administration (FDA) is
7 responsible for protecting the public health; and

8 WHEREAS, Inasmuch, the FDA regulates blood donation in the United States
9 and explicitly bars any man who has had sex with another man, at any time since 1977,
10 from donating blood; and

11 WHEREAS, The FDA justifies this policy by citing that 1977 was the beginning of
12 the United States' AIDS epidemic and that men who have sex with men (MSM) are at a
13 greater risk of HIV, hepatitis B and other infections that can be transmitted by
14 transfusion; and

15 WHEREAS, This lifetime restriction on men who have had sex with men even
16 once since 1977, from donating blood fails to consider the individual's HIV status and
17 represents the FDA's policy since 1982; and

18 WHEREAS, The only other groups on the FDA's lifetime deferral list for blood
19 donation are intravenous drug users, people who have received animal tissue or
20 organs, people who traveled to or live in certain countries due to the risk of transmitting
21 malaria or variant Creutzfeldt-Jakob Disease (vCJD) and people who had sex for drugs
22 or money; and

23 WHEREAS, The FDA last reconsidered this issue in 2006 but decided not to alter
24 its existing policy; and

1 WHEREAS, Despite the FDA's lifetime ban on MSM, nationally, an individual
2 needs a life-saving blood transfusion once every 3 seconds; and

3 WHEREAS, Yet, while 60 percent of Americans are eligible to donate blood, on
4 average less than 5 percent of people actually donate; and

5 WHEREAS, A single blood donation can save 3 lives, following component
6 separation; and

7 WHEREAS, Recipients of blood donation include cancer patients, accident, burn
8 and trauma victims, new born babies, transplant patients, mothers delivering babies,
9 surgery patients, chronically transfused patients suffering from sickle cell disease or
10 thalassemia, among others in need; and

11 WHEREAS, Limiting the population of potential blood donors leaves numerous
12 vulnerable individuals in need of receiving life-saving blood; and

13 WHEREAS, The Gay Men's Health Crisis (GMHC) recently released a report
14 entitled "A Drive for Change: Reforming U.S. Blood Donation Policies;" and

15 WHEREAS, This report advocates for a revision on the lifetime restriction of
16 MSM from donating blood and cite both action taken by other countries and advances in
17 medicine and blood screening; and

18 WHEREAS, South Africa, Argentina, Australia, Hungary, Japan, Sweden, New
19 Zealand have all imposed a time period in which an MSM must wait before being
20 allowed to donate, while Russia completely lifted the ban; and

21 WHEREAS, Other countries, such as Italy, Spain and France screen potential
22 donors for high-risk sexual practices, rather than MSM behavior, and as such these
23 countries defer all individuals who have engaged in risky sexual behavior; and
24

1 WHEREAS, GMHC's report also indicates that advancements in medical
2 technology and blood screening lend further credence that the risk is minimal; and

3 WHEREAS, There are two methods of testing for HIV, the antibody test and the
4 nucleic acid test, and both tests seek to determine whether the individual is infected with
5 HIV and the nucleic test allows for a significantly shorter window period, the period
6 when HIV is undetectable, of approximately 9 to 11 days; and

7 WHEREAS, The FDA recently announced that they will reexamine the
8 restrictions on blood donation by gay men and that the United States Department of
9 Health and Human Services' blood safety committee will look into this issue in June;
10 and

11 WHEREAS, Numerous public health groups including the American Red Cross,
12 the American Association of Blood Banks, America's Blood Centers, the American
13 Medical Association and the GMHC and leading LGBT organizations have urged that
14 the FDA's lifetime restriction be revised; now, therefore, be it

15 Resolved, That San Francisco Board of Supervisors calls upon the United States
16 Food and Drug Administration to revise their longstanding prohibition on gay men
17 donating blood and, be it

18 FURTHER RESOLVED, FURTHER RESOLVED, That the San Francisco Board
19 of Supervisors hereby directs the Clerk to send a copy of this resolution to the FDA and
20 the White House.



City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 100820

Date Passed: June 22, 2010

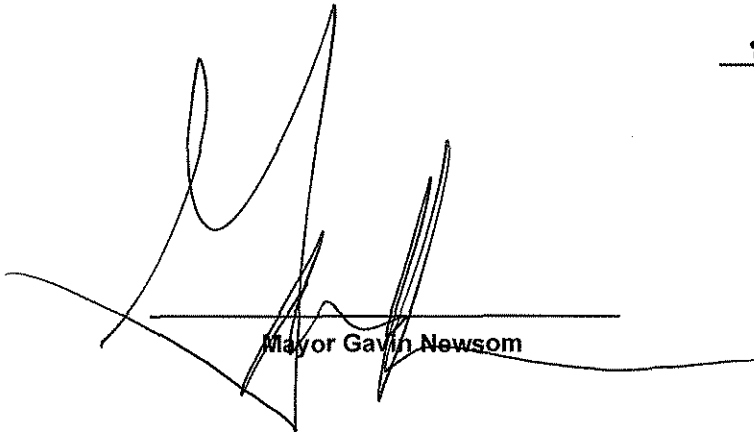
Resolution calling upon the United States Food and Drug Administration to revise their longstanding prohibition on gay men donating blood.

June 22, 2010 Board of Supervisors - ADOPTED

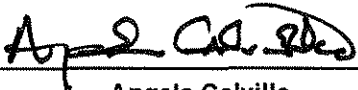
Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 1 - Alioto-Pier

File No. 100820

I hereby certify that the foregoing Resolution was ADOPTED on 6/22/2010 by the Board of Supervisors of the City and County of San Francisco.



Mayor Gavin Newsom



Angela Calvillo
Clerk of the Board

July 1, 2010
Date Approved