

WASHINGTON STATE MEDICAL ASSOCIATION
HOUSE OF DELEGATES

Resolution: C-8
(A-20)

Subject: Ending Limitations on Blood Donation by
Men who have Sex with Men (MSM)

Introduced by: Amish Dave, MD, MPH, Delegate
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King County Medical Society

Referred to: Reference Committee C

1 WHEREAS, every 2 seconds, someone in the United States needs blood. One person’s donation
2 of blood can potentially save up to three lives. Each year 6.8 million people choose to donate
3 blood.¹ In addition to well documented benefits to blood recipients, blood donation has been
4 shown to have positive impacts on donor well-being;² and

5
6 WHEREAS, men who had sex with men (MSM) after 1977 had a lifetime ban against donating
7 blood between September 1985 and December 2015 per the Food and Drug Administration
8 (FDA) due to concern about “the strong clustering of AIDS illness and the subsequent discovery
9 of high rates of [Human Immunodeficiency Virus] infection in that population;”³ and

10
11 WHEREAS, in December 2015, the FDA changed blood donation policy in the United States to
12 require 1 year of abstinence from sex for MSM individuals who desired to donate blood;³ and

13
14 WHEREAS, in April 2020, after years of intense lobbying, the FDA reduced the blood donation
15 deferral period for MSM from 12 months to 3 months;^{4 5} and

16
17 WHEREAS, the American Medical Association actively lobbied for further changes in the
18 FDA’s medical and regulatory decision-making to remove the categorical restrictions for blood
19 donations by MSM so they are instead based on a person’s individual risk, consistent with the
20 latest scientific evidence, to ensure blood donation criteria is equitably applied across all people;³
21 ⁵ and

22
23 WHEREAS, the American Medical Association (1) supports the use of rational, scientifically-
24 based blood and tissue donation deferral periods that are fairly and consistently applied to donors

¹ American Red Cross. “Blood Needs & Blood Supply.” <https://www.redcrossblood.org/donate-blood/how-to-donate/how-blood-donations-help/blood-needs-blood-supply.html>. Accessed July 2020.

² Ferguson, E., Taylor, M., Keatley, D., Flynn, N. and Lawrence, C. *Blood donors' helping behavior is driven by warm glow: more evidence for the blood donor benevolence hypothesis*. February 10, 2012. *Transfusion*, 52: 2189-2200. doi:10.1111/j.1537-2995.2011.03557.x. Accessed July 2020.

³ Shaw, ML. “FDA’s Revised Blood Donation Guidance for Gay Men Still Courts Controversy.” April 04, 2020. <https://www.ajmc.com/focus-of-the-week/fdas-revised-blood-donation-guidance-for-gay-men-still-courts-controversy>. Accessed July 2020.

⁴ Marks, P. “Coronavirus (COVID-19) Update: FDA Provides Updated Guidance to Address the Urgent Need for Blood During the Pandemic.” April 02, 2020. <https://www.fda.gov/news-events/press-announcements/coronavirus-covid-19-update-fda-provides-updated-guidance-address-urgent-need-blood-during-pandemic>. Accessed July 2020.

⁵ Harris, PA. “AMA statement on new FDA guidelines on MSM blood donation. April 02, 2020. <https://www.ama-assn.org/press-center/ama-statements/ama-statement-new-fda-guidelines-msm-blood-donation#:~:text=Apr%202020&text=In%202015%20after%20significant%20advocacy,decision%20making%20with%20scientific%20evidence>. Accessed July 2020.

1 according to their level of risk; and (2) opposes the lifetime deferral on blood and tissue
2 donations from MSM (H-50.973 Blood donor deferral criteria);⁶ and

3
4 WHEREAS, the American Medical Association (1) Supports working with blood banking
5 organizations to educate prospective donors about the safety of blood donation and blood
6 transfusion; (2) supports the use of its publications to help physicians inform patients that
7 donating blood does not expose the donor to the risk of HIV/AIDS; (3) encourages physicians
8 to inform high-risk patients of the value of self-deferral from blood and blood product donations;
9 and (4) supports providing educational information to physicians on alternatives to transfusion
10 (H-50.975 Safety of blood donations and transfusions);⁶ and

11
12 WHEREAS, in the midst of the coronavirus disease 2019 (COVID-19) pandemic, the American
13 Red Cross estimated 86,000 fewer blood donations across the United States due to almost 2700
14 blood drives that had to be cancelled;^{7 8}

15
16 WHEREAS, removal of an abstinence period for blood donation for MSM has been estimated
17 to allow for over 615,000 additional pints of blood donated each year;⁸ and

18
19 WHEREAS, per the Centers for Disease Control and Prevention (CDC), all blood donation
20 products are tested for blood-borne pathogens including HIV and hepatitis C;^{3 9} and

21
22 WHEREAS, a joint statement released in 2006 by the American Association of Blood Banks
23 (AABB), the Red Cross, and America’s Blood Centers, characterized the lifetime MSM blood
24 ban as “medically and scientifically unwarranted,” and urged the FDA to modify blood donation
25 policies so that they are “comparable with criteria for other groups at increased risk of sexual
26 transmission of transfusion transmitted infections;”¹⁰ and

27
28 WHEREAS, the ongoing restrictions on MSM blood donation are widely considered to be
29 discriminatory against MSM individuals;^{3 6 10 11 12} and

30
31 WHEREAS, in a statement released in June 2013, the American Medical Association (AMA)
32 declared that “the lifetime ban on blood donation for men who have sex with men is
33 discriminatory and not based on sound science;”¹⁰ and

34
35 WHEREAS, the Gay Men’s Health Committee (GMHC) has stated that: (1) the FDA should
36 update the Donor History Questionnaire so that all potential donors are screened for high-risk

⁶ American Medical Association. “*Growing numbers call for change to blood donation policy for MSM.*” July 15, 2014. <https://www.ama-assn.org/delivering-care/population-care/growing-numbers-call-change-blood-donation-policy-msm>. Accessed July 2020.

⁷ Perrone, M. “*US eases blood donation limits for gay men due to shortage.*” The Associated Press. April 2, 2020. <https://apnews.com/ffdba3a7085c30db730853669c739a7a?> Accessed July 2020.

⁸ Klar, R. “*Maloney, Ocasio-Cortez call on FDA to revise ban on gay men from donating blood amid shortage.*” April 01, 2020. <https://thehill.com/homenews/house/490643-maloney-ocasio-cortez-call-on-fda-to-revise-ban-on-gay-men-from-donating-blood?> Accessed July 2020.

⁹ Centers for Disease Control and Prevention. “*Blood Safety Basics.*” Revised March 18, 2020. <https://www.cdc.gov/bloodsafety/basics.html> . Accessed July 2020.

¹⁰ The Gay Men’s Health Committee. “*MSM Blood Ban FAQ.*” <https://www.gmhc.org/get-involved/advocate/msm-blood-ban> . Accessed July 2020.

¹¹ Sacks CA, Goldstein RH, Walensky RP. Response to “*Rethinking the Ban - The U.S. Blood Supply and Men Who Have Sex with Men.*” N Engl J Med. 2017 Jan 12;376(2):174-177. Accessed July 2020.

¹² Karamitros, G., Kitsos, N., Karamitro, I. *The ban on blood donation on men who have sex with men: time to rethink and reassess an outdated policy.* Pan Afr Med J. 2017; 27: 99. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5554671/> Accessed July 2020.

WSMA Policy

Confidentiality

The WSMA supports the confidentiality of blood donors. (EC 9/89) (Reaffirmed A-17)

Non-Discrimination Laws

The WSMA supports the expansion of state-level non-discrimination laws to include all health care interactions in the state. (Res B-8, A-18)

Improving Health Care Experiences for Transgender and Gender Nonconforming Patients

The WSMA strongly support the rights of transgender and gender nonconforming patients, and recommend that all Washington state health care facilities that provide direct patient care adopt gender-affirming practices, including but not limited to the following:

- Ensure appropriate documentation of a patient's preferred name and pronouns as part of new patient registration processes;
- Establish and publicize protocol for documenting a change in a patient's gender;
- Provide a write-in option for sex and gender on all forms and avoid binary identifiers;
- Offer gender sensitivity training by an expert trainer for all medical providers, administrators, and support staff;
- Develop guidelines for providing appropriate preventative health care screenings for all patients regardless of gender identity and according to their physical needs;
- Ensure the availability of gender-neutral bathrooms; and
- Develop a patient referral plan when one's health care facility is unable to provide gender-affirming services, including hormone replacement therapy, gender-affirming surgical procedures, and routine preventative health screenings.

(Res C-24, A-19)

Supporting the Rights of Transgender and Gender Nonconforming Patients

The WSMA oppose attempts to limit the rights of transgender and gender nonconforming patients, including legislative actions that allow medical or insurance providers to deny patients' access to gender-affirming health care services. (Res C-25, A-19)