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3 **Title: Lift the FDA’s Ban on Men Who Have Sex with Men Blood**  
4 **Donors**

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6 **Introduced by: Nicolas K. Fletcher and Vanessa Stan for the Medical**  
7 **Student Section**

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9 **Original Author: Nicolas K. Fletcher**

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11 **Referred to: Reference Committee D**

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13 **House Action: Adopted as Amended**  
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16 **Whereas, men, at any time since 1977 are currently deferred (banned) as**  
17 **blood donors “for life,” and**

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19 **Whereas, this policy dates back to 1983, the early days of the HIV**  
20 **epidemic, and**

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22 **Whereas, in 2006, the American Red Cross, along with the American**  
23 **Association of Blood Banks and America’s Blood Centers, petitioned the FDA**  
24 **to remove the ban on Men Who Have Sex with Men (MSM) from blood donors,**  
25 **citing better screening technologies, and**

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27 **Whereas, the American Red Cross blood bank reached emergency levels**  
28 **in June 2012, with 50,000 fewer donations than expected, reaching a 15 year**  
29 **low, and**

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31 **Whereas, current blood donor eligibility criteria are largely inconsistent,**  
32 **imposing significantly less restrictive deferrals to heterosexual men and**  
33 **women who engage in high-risk sexual behavior, and**

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35 **Whereas, a pilot program for hemochromatosis donors, previously**  
36 **deferred for life, has been completed and is being evaluated for possible**  
37 **system wide implementation, and**

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39 **Whereas, recent studies found no evidence that the implementation of**  
40 **the 12-month deferral for male-to-male sex resulted in an increased recipient**  
41 **risk for HIV, and**

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43 **Whereas, the Food and Drug Administration (FDA) and U.S. Department**  
44 **of Health and Human Services (HHS) have already removed the lifetime deferral**  
45 **for MSM tissue and organ donors, and**

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47 **Whereas, US Senator John Kerry and Representative Michael Quigley**  
48 **have submitted letters to both HHS and the FDA in support of lifting the ban,**  
49 **and**

50           **Whereas, countries like England, Australia, Mexico, South Africa, Japan,**  
51 **Spain and Italy have a one-year ban on MSM donors and in some cases no ban**  
52 **against MSM donors; therefore be it**

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54           **RESOLVED: That MSMS ask the AMA to support lifting the Food and**  
55 **Drug Administration’s lifetime ban against Men Who Have Sex with Men (MSM)**  
56 **blood donors.**

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58 **WAYS AND MEANS COMMITTEE FISCAL NOTE: NONE**

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1. <http://www.fda.gov/biologicsbloodvaccines/bloodbloodproducts/questionsaboutblood/ucm108186.htm>
  2. <http://usatoday30.usatoday.com/news/health/story/2012-07-28/nationwide-blood-shortage/56545264/1>
  3. [http://www.redcrossblood.org/donating-blood/eligibility-requirements/eligibility-criteria-topic#med\\_cond](http://www.redcrossblood.org/donating-blood/eligibility-requirements/eligibility-criteria-topic#med_cond)
  4. <http://www.washingtontimes.com/news/2010/mar/05/senators-ask-fda-to-lift-gay-blood-donor-ban/?page=all>
  5. Seed, C. R., Kiely, P., Law, M. and Keller, A. J. (2010), No evidence of a significantly increased risk of transfusion-transmitted human immunodeficiency virus infection in Australia subsequent to implementing a 12-month deferral for men who have had sex with men (CME)