



**For Immediate Release**

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## **California Governor Jerry Brown Signs Bill Allowing HIV-Positive Organ Transplants**

*APLA co-sponsored the bill and joins others in applauding the governor for signing SB 1408, which allows organ transplants between HIV-positive donors and HIV-positive recipients*

(Sacramento, CA; May 27, 2016)—A coalition of leading LGBT, HIV, civil rights and public health organizations today applauded the signing into law by California Governor Jerry Brown of a bill that would allow organ transplants between HIV-positive donors and HIV-positive recipients. Senate Bill (SB) 1408 was authored by Sen. Ben Allen (D-Santa Monica), co-sponsored by Equality California, AIDS Project Los Angeles, the Los Angeles LGBT Center, and Positive Women’s Network-USA and supported by the coalition Californians for HIV Criminalization Reform (CHCR). It brings state law in line with federal law. It passed both the Assembly and Senate unanimously earlier in the day.

“These lifesaving surgeries have been proven safe and are now allowable under federal law,” said Allen. “There is no reason for state law to maintain an antiquated prohibition on organ donation by HIV-positive persons. By expanding the pool of organ donors, we will have shortened the time for all persons on the organ donor waiting lists, and saved lives in the process.”

In 2013, the HIV Organ Policy Equity (HOPE) Act was signed into law by President Obama which permitted organ transplants between HIV-positive individuals. Johns Hopkins University recently performed the first kidney and liver transplants between HIV-positive donors and HIV-positive patients in the United States. However, until now, California law prohibited these transplants from taking place and made it a felony for HIV-positive individuals to donate lifesaving organs. Allowing HIV-positive people to donate organs to others living with HIV will save the lives of hundreds of HIV-positive patients each year, and shorten the waiting list for individuals awaiting transplants.

"We thank Governor Brown for acting so quickly to sign this bill," said Rick Zbur, executive director of Equality California. "Dozens of HIV-positive people in California are currently waitlisted for an organ transplant, so this bill will save lives in a very real and immediate sense. This is the first step in what we hope will be a number of measures to modernize California's antiquated laws that harm and stigmatize people living with HIV."

"We applaud the Legislature for taking swift action to repeal this outdated law and permit organ donations between HIV-positive individuals," AIDS Project Los Angeles Chief Executive Officer Craig E. Thompson said. "Still, a number of laws remain on the books that criminalize people living with HIV simply because of their status. We remain committed to working with the Legislature to modernize these laws."

SB 1408 is a first step toward modernizing a number of California laws that stigmatize people living with HIV and treat HIV differently than other communicable diseases. Most of these statutes were enacted in the late 1980s, at a time of public panic about HIV and its transmission. Societal and medical understanding of the disease has since greatly improved and effective treatments greatly reduce the risk of transmission and give people living with HIV a normal lifespan. However, people living with HIV still can face felony charges, even when no risk of transmission is present.

"We applaud the passage of SB 1408, lifesaving legislation, allowing people living with HIV to donate and receive organs and tissue from others with HIV," said Arnetta Rogers, Reproductive Justice and HIV fellow at the Positive Women's Network-USA. "California law is now consistent with federal law allowing for such procedures and will have an immediate impact on improving access to care and improving health outcomes for people with HIV."

"We commend the Legislature for swift passage of SB 1408," said Dave Garcia, director of policy and community building at the Los Angeles LGBT Center. "This bill will save the lives of people living with HIV who are in desperate need of organ transplants. This is a compassionate and common sense step in ensuring that people living with HIV have the same rights as everyone else and are not subject to criminalization because of their HIV status."

CHCR is a coalition dedicated to modernizing California's HIV criminal laws. Its mission is to mobilize a broad range of people and organizations, including individuals and communities who are disproportionately impacted by HIV, to replace fear-based, stigmatizing laws that criminalize HIV status with evidence-based, nondiscriminatory laws that protect public health. CHCR is led by a steering committee including the ACLU of California, AIDS Project Los Angeles, Erotic Service Provider Legal Educational and Research Project, Equality California, Health Officers Association, Lambda Legal, Los Angeles HIV Law and Policy Project, Los Angeles LGBT Center, Mexican American Legal Defense and Educational Fund, Positive Women's Network, Sex Workers Outreach Project and the Transgender Law Center.

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Equality California is the nation's largest statewide lesbian, gay, bisexual and transgender civil rights organization dedicated to creating a fair and just society. Our mission is to achieve and maintain full and lasting equality, acceptance, and social justice for all people in our diverse LGBT communities, inside and outside of California. Our mission includes advancing the health and well-being of LGBT Californians through direct healthcare service advocacy and education. Through electoral, advocacy, education and mobilization programs, we strive to create a broad and diverse alliance of LGBT people, educators, government officials, communities of color and faith, labor, business, and social justice communities to achieve our goals. [www.eqca.org](http://www.eqca.org)

AIDS Project Los Angeles (APLA) was founded in 1983 and is one of the largest nonprofit HIV/AIDS service organizations in the United States. APLA provides bilingual support to more than 6,000 people living with HIV/AIDS in Los Angeles County annually and leadership on HIV/AIDS-related policy and legislation. Additionally, APLA conducts behavioral research designed to inform the development of evidence-based interventions and assists health departments in evaluating their HIV/AIDS services to ensure the delivery of effective and quality programs. APLA also provides administrative and fiscal support to the Global Forum on

Men Who Have Sex With Men (MSMGF), which promotes and advocates for the health and human rights of MSM internationally. APLA is proud to be a community-based, volunteer-supported organization with local, national, and global reach. For more information, please visit [apla.org](http://apla.org).

Positive Women's Network – USA is a national network of women living HIV. PWN-USA envisions a world where women living with HIV can live long, healthy, dignified and productive lives, free from stigma and discrimination. Our mission is to prepare and involve all women living with HIV, in all our diversity, including gender identity and sexual expression, in all levels of policy and decision-making. <https://pwnusa.wordpress.com/>.

Since 1969 the Los Angeles LGBT Center has cared for, championed and celebrated LGBT individuals and families in Los Angeles and beyond. Today the Center's more than 550 employees provide services for more LGBT people than any other organization in the world, offering programs, services and global advocacy that span four broad categories: Health, Social Services and Housing, Culture and Education, Leadership and Advocacy. We are an unstoppable force in the fight against bigotry and the struggle to build a better world; a world in which LGBT people can be healthy, equal and complete members of society. Learn more at [lalgbtcenter.org](http://lalgbtcenter.org).



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