



LGBTQ+ Organizations Join California Insurance Commissioner Ricardo Lara to End FDA’s Discriminatory Blood Deferral Policy Against Gay and Bisexual Men

LOS ANGELES, January 25, 2022—At a critical time when the United States is experiencing its first-ever emergency blood crisis, four LGBTQ+ organizations—**APLA Health, Equality California (EQCA), Los Angeles LGBT Center, and San Francisco AIDS Foundation**—join California Insurance Commissioner Ricardo Lara in urging the U.S. Food and Drug Administration (FDA) to overturn a discriminatory policy maintained under the prior administration. On Monday, Commissioner Lara sent a letter urging an end to the FDA’s policy banning blood donations from gay and bisexual men. Currently the FDA requires that men who have sex with men must abstain from sex for three months before donating blood.

“This is outdated, discriminatory guidance based in prejudice – not in public health – and it is contributing to our current national blood donation crisis,” said Insurance Commissioner Ricardo Lara in his letter to FDA’s Acting Commissioner Dr. Janet Woodcock and U.S. Department of Health and Human Services Secretary Xavier Becerra. “I respectfully urge you to permanently lift the entire deferral period in order for a male donor who has had sex with another man from donating blood.”

“The FDA’s de facto ban on blood donations from gay and bisexual men is outdated, stigmatizing, and not based in science,” said APLA Health CEO Craig E. Thompson. “Leading medical groups have long argued that the agency’s policy should instead be based on a person’s individual risk regardless of sexual orientation or gender identity. With the nation now experiencing the worst blood crisis in over a decade, it’s time for the FDA to put an end to its obsolete and discriminatory policy to help ensure a safe and adequate blood supply during the pandemic.”

Research by the Williams Institute at the UCLA School of Law indicate that, if the outdated policy is lifted, up to 615,300 additional pints of blood per year—enough blood to help save the lives of more than one million people—can potentially be contributed by gay and bi men.

“It’s long past time for the FDA to adopt a policy based on science, not stigma,” said EQCA Legislative Director Tami Martin. “We’re grateful to Commissioner Lara for his continued leadership in the fight to end this outdated, discriminatory ban once and for all.”

The FDA’s original lifetime ban against gay and bi men was enacted in 1983 when little was known about the mechanisms of HIV transmission and the AIDS epidemic was concentrated primarily in the gay male community. In 2015 the lifetime ban was partially lifted after the FDA announced that men who have sex with men would be able to donate blood following a year of abstinence. In April 2020 the one-year deferral period was reduced to three months to diminish the nation’s urgent need for blood during the COVID-19 pandemic.

“We applaud Commissioner Lara for his leadership on this issue. The current ban, even with its recent revisions, is a remnant of the homophobia and ignorance that was propagated by politicians and bigots early in the AIDS pandemic,” said Los Angeles LGBT Center Executive Director Joe Hollendoner. “It specifically discriminates against gay men. A heterosexual person could have hundreds of partners within a three-month period and still be allowed to donate blood but if a gay man has sex just once during that same period, he would be automatically denied. The ban is bad public health policy while ignoring recent advancements in HIV care and discounting the science established by other countries that have no such ban. What’s worse, it flies in the face of the critical need for blood donation in the midst of health emergencies like the one we now face.”

The United Kingdom announced in May 2021 that donors will no longer be asked if they are a man who has had sex with another man. Potential blood donors—regardless of their gender—will be asked, instead, of their most recent sexual activities. This year France and Greece announced their plans to abolish their longtime restrictions on blood donations from gay and bi men.

“At the beginning of the COVID-19 pandemic, I was denied the ability to donate plasma because I am Queer,” said Russell Roybal, Chief Advancement Officer of San Francisco AIDS Foundation. “As a person who had contracted COVID-19 very early on, I knew donating my plasma could have helped researchers just beginning to study vaccines and treatments yet was screened out of the process which required a 12-month deferral for men who have sex with men. Even with the shortened three-month deferral, it still sends the message that our blood is dangerous and worthless, which only serves to promote stigma and shame.”

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About APLA Health

APLA Health’s mission is to achieve healthcare equity and promote well-being for the LGBTQ+ and other underserved communities and people living with and affected by HIV. We remain committed to ending the AIDS epidemic in our lifetime. We are a nonprofit, federally qualified health center serving more than 18,000 people annually. We provide 20 different services at 16 locations throughout Los Angeles County, including: medical, dental, behavioral health and HIV specialty care; PrEP counseling and management; health education and HIV prevention; and STD screening and treatment. For people living with HIV, we offer housing support; benefits counseling; home healthcare; and the Vance North Necessities of Life Program food pantries; among several other critically needed services. Additionally, we are leaders in advocating for policy and legislation that positively impacts the LGBTQ+ and HIV communities and conduct

community-based research on issues affecting the communities we serve. Its signature fundraising event, AIDS Walk Los Angeles, has drawn hundreds of thousands of supporters to walk, and millions more to donate, raising more than \$91 million to combat HIV and AIDS since 1985. For more information on APLA Health visit <https://aplahealth.org>.

About Equality California

Equality California is the nation's largest statewide LGBTQ civil rights organization. We bring the voices of LGBTQ people and allies to institutions of power in California and across the United States, striving to create a world that is healthy, just, and fully equal for all LGBTQ people. We advance civil rights and social justice by inspiring, advocating and mobilizing through an inclusive movement that works tirelessly on behalf of those we serve. www.eqca.org

About the Los Angeles LGBT Center

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 nearly 800 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 thrive as healthy, equal, and complete members of society. Learn more at lalgbtcenter.org.

About San Francisco AIDS Foundation

San Francisco AIDS Foundation promotes health, wellness, and social justice for communities most impacted by HIV, through sexual health and substance use services, advocacy, and community partnerships. Founded in 1982, SFAF envisions a future where health justice is achieved for all people living with or at risk for HIV, ultimately striving for a day when race is not a barrier to health and wellness, substance use is not stigmatized, HIV status does not determine quality of life, and HIV transmission is eliminated. Each year more than 25,000 people rely on SFAF programs and services and millions more find advocacy tools and information they need online at sfaf.org.