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**HOUSE JOINT MEMORIAL 4012**

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**State of Washington 64th Legislature 2016 Regular Session**

**By** Representative Moeller

TO THE HONORABLE BARACK OBAMA, PRESIDENT OF THE UNITED STATES, AND TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES, IN CONGRESS ASSEMBLED, AND TO THE SECRETARY OF HEALTH AND HUMAN SERVICES:

We, your Memorialists, the Senate and House of Representatives of the State of Washington, in legislative session assembled, respectfully represent and petition as follows:

WHEREAS, In the early 1980s, the HIV/AIDS epidemic was responsible for the deaths of many Americans, including gay men and recipients of donated blood; and

WHEREAS, In 1983, in response to concerns about the blood supply, the federal food and drug administration issued guidance that banned men who have had sexual intercourse with other men from donating blood for life; and

WHEREAS, Modern testing techniques have significantly reduced the "window period" between initial infection and when blood-borne HIV is detectable, thereby greatly reducing the risk of transfusion-transmitted HIV; and

WHEREAS, While some groups face similar lifetime bans, other groups with elevated HIV/AIDS risk face bans of limited duration; and

WHEREAS, Civil rights groups have declared that the lifetime ban on blood donations from men who have had sexual intercourse with other men is discriminatory; and

WHEREAS, The Red Cross has declared that the lifetime ban on blood donations from men who have had sexual intercourse with other men is unwarranted and should be reduced to a one-year deferral period; and

WHEREAS, The food and drug administration has revised its guidance to reduce the lifetime ban to a twelve-month deferral from the last time a prospective male blood donor has had sexual intercourse with another man; and

WHEREAS, This new guidance, while a step in the right direction, would present a functional lifetime ban on men who are in monogamous relationships with other men and is based on a prospective blood donor's sexual orientation, rather than the actual risk his blood presents to the blood supply;

NOW, THEREFORE, Your Memorialists respectfully pray that the food and drug administration continue its efforts to change its blood donation deferral guidance in a manner that both maintains the safety of the blood supply and is nondiscriminatory,focusing on the actual risk a person poses to the blood supply rather than factors such as sexual orientation.

BE IT RESOLVED, That copies of this Memorial be immediately transmitted to the Honorable Barack Obama, President of the United States, the Secretary of the United States Department of Health and Human Services, the President of the United States Senate, the Speaker of the House of Representatives, and each member of Congress from the State of Washington.