
HOUSE JOINT MEMORIAL 4012

State of Washington

64th Legislature

2016 Regular Session

By Representative Moeller

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

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

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

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

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

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

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

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

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

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

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

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

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