Overturning the Gay Blood Ban

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The Issue

Men who have had sex with men at any time since 1977 are banned from donating blood in the United States. The U.S. Food and Drug Administration (FDA) instituted the ban in 1983, at the beginning of the AIDS epidemic. It was an effort to protect the nation's blood supply from HIV because at the time, the largest number of cases were among gay men.

Why does the ban remain? According to the FDA, there are three reasons. First: Men who have sex with men (MSM) have an HIV prevalence (that's the total number of cases of a disease present in a group at any given time) that is 60 times higher than that of the general population. Second: Detecting HIV in a blood sample can be challenging, especially during the window period (the time between being infected with HIV and when most tests can detect the virus; for most people this is between four to six weeks). Third: There are more than 20 million blood and blood-product-related transfusions in the United States every year, so even an infinitesimal chance of accidentally transmitting HIV is significant.

Four other sub-populations are banned from donating blood, either indefinitely or temporarily: injection drug users, people who have received transplants of animal tissue or organs, people who have traveled outside the United States within the last year, and people who have had sex in exchange for money or drugs.

Why This Matters to You

The ban discriminates against gay men. It singles out all MSM and makes no allowances for men who are in committed, monogamous relationships or those who are tested regularly for HIV. It further discriminates against MSM since it doesn't prevent donations from people in other high risk groups (like heterosexual men or women who have had multiple partners).

The ban is also based on outdated science. Modern HIV tests can often detect the virus within 12 days of infection. And the risk of getting HIV from a transfusion or a blood product has nearly been eliminated in the United States because of improvements to donor screening and testing. Blood screening tests fail to detect HIV less than one in a million times. Lifting the ban on MSM donating blood would not only help destigmatize HIV and de-link MSM from HIV, it could also set scientific precedent for the approval of other medical practices still unavailable to HIV-positive people, such as donating organs to others living with the virus.

What You Can Do About It

Demand equal donation rights. In 2010, more than 40 organizations signed a letter to the U.S. Department of Health and Human Services (HHS) saying the ban was unfair and asking the FDA to reconsider; in March, the HHS announced plans to study alternatives; and in May, the Vermont House of Representatives asked the FDA, once again, to reconsider the ban in light of current scientific evidence. Add your voice to the cause. Go to senate.gov or house.gov to find your representatives and how to contact them. Then let them know that you want the FDA to lift its ban on MSM blood donation.

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