

Case 2

Recently the FDA voted narrowly (7-6) to continue a ban on gay men donating blood that it imposed in 1985. Dr. F. Blaine Hollinger, Chair of the FDA Blood Products Advisory Committee said, however: "Personally, I'm very open to a change. It's discriminatory. We have to see all the data first. If it can be done without changing the safety of the blood supply, it ought to be done."

Gay activists argue that the ban unfairly discriminates against gay men. They note that a heterosexual woman who has had sex with an AIDS infected partner may donate after a year. Similarly, promiscuous heterosexuals are also at risk for HIV infection, but are not prevented from donating blood. Jeffrey Haviland, a gay man who once lied in order to donate blood argues, "The question should not be, 'Are you homosexual,' [but] 'What risk factors have you engaged in?'"

New testing procedures have increased the likelihood of detecting HIV in donated blood. Ten years ago, tests searched for HIV antibodies, which take as long as a year to appear. Now tests use nucleic acids, which can detect tiny amounts of virus even before antibodies emerge - as early as eleven days after infection.

However, some blood experts worry that easing the ban could result in an increased in the number of HIV infected donations. Dr. Michael Bush, UC San Francisco, said, "The tests are not perfect. And even though they are very good --- there remains a small but significant rate of test error." In fact, each year approximately 10 HIV infected units of blood (of 12 million units donated) escape detection and result in 2-3 cases of HIV infection. Put another way, each year one in every 675,000 people who receive blood donations nationwide receives HIV infected blood.

If the lifetime ban were changed to a five year ban, an estimated 62,300 men who have had sex with men would be eligible to donate. If the lifetime ban were changed to a one year ban, an estimated 112,000 previously ineligible man could give blood. This information comes at a time when the nation's blood banks are increasingly short of donors. The National Blood Data Resource Center predicts that in 2001 demand will exceed supply by 200,000 units.

Nonetheless, the American Red Cross recommends retaining the ban, contending that the increased benefit is not worth the very small increased risk of HIV infection. The Red Cross insists that gay men are not singled out unfairly. Any group posing a risk to blood recipients, says the Red Cross, is restricted -- e.g. IV drug users, prostitutes, and persons with infectious diseases, such as hepatitis. Other blood bank organizations disagree, however. In this regard there is approximately an even split on the issue among blood bank organizations.