

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON HEALTH

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April 27, 2010  
Start: 01:17pm  
Recess: 01:44pm

HELD AT: Council Chambers  
City Hall

B E F O R E:  
MARIA DEL CARMEN ARROYO  
Chairperson

COUNCIL MEMBERS:  
Inez E. Dickens  
Mathieu Eugene  
Julissa Ferreras  
Helen D. Foster  
Joel Rivera  
Deborah L. Rose  
Peter F. Vallone, Jr.  
James G. Van Bramer  
Albert Vann

## A P P E A R A N C E S (CONTINUED)

William Martin  
Committee Clerk  
NYC City Council

COUNCIL MEMBER RIVERA: Good

afternoon ladies and gentlemen, I'm going to be reading the opening statement from Maria Del Carmen Arroyo, since she's visually impaired at the moment. Good afternoon, my name is Joel Rivera, on behalf of Maria Del Carmen, she's the Chair of the Committee. Today the Committee will be voting on two resolutions: Reso 88, sponsored by the Speaker, calling the Department of State ... the United States Food and Drug Administration to reverse their long-standing policy prohibiting men who have sex with men from donating blood. And second is Reso 39, sponsored by Council Member Mendez, it calls on Congress to reintroduce and pass legislation that would amend the Public Health Service Act with respect to facilitating the development of microbicides for preventing the transmission of HIV and other diseases. The Committee previously held a hearing on these two resos on April 13<sup>th</sup>, 2010, and I would like to thank both the Speaker and Council Member Mendez for their leadership in bringing these important public health issues to the forefront. I will briefly discuss both resolutions, Reso 80 pertains

1  
2 to the FDA's long-standing ban on men who have sex  
3 with men from donating blood. This policy fails  
4 to take into account an individual's health  
5 status, rather it represents a blanket prohibition  
6 based on the individual's sexual orientation.

7 Other countries have relaxed similar prohibitions  
8 and leading health and LGBT organizations support  
9 reversing the FDA's policy, including the AMA, the  
10 American Red Cross, the American Association of  
11 Blood Banks, and the American Blood Centers.

12 Given the substantial need for blood donors, it is  
13 counterintuitive to close off a substantial part  
14 of the population from donating. We are  
15 encouraged that the FDA has announced that the  
16 U.S. Department of Health and Human Services  
17 advisory committee on blood safety and  
18 availability will examine this issue in June. We  
19 feel that it is important to go on the record as a  
20 city and make our voices heard.

21 Today we are also voting on Reso 39  
22 which pertains to facilitating the development of  
23 microbicides for preventing the transmission of  
24 HIV and other diseases. It is estimated that  
25 women account for approximately half of all HIV

1  
2 and AIDS infections worldwide. Microbicides are a  
3 developing technology that will give women a  
4 preventative tool that they can control. Further  
5 investment in HIV and AIDS prevention too will  
6 reduce transmission of this disease, and  
7 microbicides in particular have the potential to  
8 empower women. I'd like to thank the staff of the  
9 Committee for their hard work at their assignment,  
10 and Joe Mancino, and I'd also like to recognize  
11 the members who are here with us today. We have  
12 Council Member Al Vann, obviously we have the  
13 Chair, Council Member Maria Del Carmen Arroyo, we  
14 have Council Member Debbie Rose, we have Council  
15 Member Peter Vallone, Jr. and Council Member Helen  
16 Foster.

17 Now over to the Chair.

18 CHAIRPERSON ARROYO: Thank you,  
19 Joel. Is this on? You can hear? I guess I have  
20 to explain why I'm visually impaired. Thank you.  
21 You know, you take medication and they give you  
22 all kinds of side effects, so some pain medication  
23 blurs your vision. So that's what I'm dealing  
24 with today. So with that, I think we are ready  
25 for a vote. Unless any of my colleagues have any

1  
2 statements or questions? And I want to thank  
3 Council Member Rivera for chairing the hearing on  
4 the 13<sup>th</sup> in my absence, thank you, Joel.

5 COUNCIL MEMBER RIVERA: No problem.

6 CHAIRPERSON ARROYO: Good backup.  
7 Can we call the roll?

8 COMMITTEE CLERK: William Martin,  
9 Committee Clerk, roll call on the Committee of  
10 Health, Resolution 39-A and 80-A. Council Member  
11 Arroyo.

12 CHAIRPERSON ARROYO: Yes.

13 COMMITTEE CLERK: Rivera.

14 COUNCIL MEMBER RIVERA: I vote aye.

15 COMMITTEE CLERK: Foster.

16 COUNCIL MEMBER FOSTER: Yes.

17 COMMITTEE CLERK: Vallone.

18 COUNCIL MEMBER VALLONE: I vote aye  
19 on 80, and I'm going to abstain on 39-A, because I  
20 just don't know enough about it. I'm sure there  
21 are promising areas of research and all sorts of ...  
22 against all sorts of diseases, but I know we don't  
23 call for what should be funded and what shouldn't  
24 without a lot more information, so I'm abstaining  
25 on that one. And vote aye on 80. And I want to

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2 know more about pain medication that blurs vision.

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COMMITTEE CLERK: Vann.

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COUNCIL MEMBER VANN: I vote yes.

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COMMITTEE CLERK: Eugene

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COUNCIL MEMBER EUGENE: Aye.

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COMMITTEE CLERK: Rose.

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COUNCIL MEMBER ROSE: Aye.

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COMMITTEE CLERK: By a vote of

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seven in the affirmative, zero in the negative and

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no abstentions, Resolution 80-A is adopted, and by

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a vote of six in the affirmation, none in the

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negative and one abstention, Resolution 39-A is

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also adopted. Council members please sign the

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community reports.

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CHAIRPERSON ARROYO: We will leave

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the roll open, we have a few members coming over

18

from across the street, they're at other meetings.

19

So we'll wait for their arrival. [pause]

20

COMMITTEE CLERK: Ferreras.

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COUNCIL MEMBER FERRERAS: I vote

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aye.

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COMMITTEE CLERK: Dickens.

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COUNCIL MEMBER DICKENS: Aye.

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COMMITTEE CLERK: Van Bramer.

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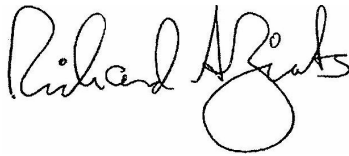
COUNCIL MEMBER VAN BRAMER: Aye.

COMMITTEE CLERK: Final vote for the Committee on Health. Resolution 80-A is adopted by a vote of ten in the affirmative, zero in the negative and no abstentions. Resolution 39-A is adopted by a vote of nine in the affirmative, zero in the negative and one abstention. Thank you.



C E R T I F I C A T E

I, Richard A. Ziats, certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.



Signature \_\_\_\_\_

Date May 10, 2010