

Alabama's Transgender Youth Can Use Medicine to Transition, Judge Rules

A federal judge temporarily halted part of a new law that prevents doctors from prescribing puberty blockers and hormone therapies to transgender youth. He upheld a ban on sex-altering operations.

By Rick Rojas

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A federal judge late Friday blocked portions of an Alabama law that prevent medical professionals from providing care that helps transgender children and teenagers transition, making it a felony offense that is punishable by up to 10 years in prison.

The severity of the punishment — which also includes threats of criminal prosecution for parents and educators who support a child in transitioning — has stood out even [amid a wave of legislation](#) by conservative lawmakers that has focused on transgender young people, including efforts to thwart access to what doctors call gender-affirming care and barring some transgender students from participating in school sports.

The Alabama law, which was [signed by Gov. Kay Ivey](#) and went into effect on May 8, was challenged in federal court by several families with transgender children, physicians who work with transgender patients and the U.S. Justice Department.

In an order issued late Friday night, Judge Liles C. Burke of the U.S. District Court for the Northern District of Alabama temporarily halted the state from enforcing parts of the law that make it a felony to prescribe hormones or puberty-blocking medication while the court challenge continued.

Judge Burke found that particular element of the law most likely unconstitutional, writing that parents have a fundamental right to direct the care of their children within medically accepted standards and that limiting care to gender-nonconforming children amounted to sex discrimination.

However, Judge Burke ruled that other parts of the law remained in place. Medical professionals are still forbidden to perform gender-affirming surgical procedures on children. (Doctors had testified that such operations were not being performed on children in Alabama before the law had been enacted.) And educators and school nurses are not allowed to withhold — or “encourage or coerce” students to withhold — from their parents “the fact that the minor’s perception of his or her gender or sex is inconsistent with the minor’s sex.”