

US judges halt healthcare bans for transgender youth

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July 3 (Reuters) - In state after state, conservative lawmakers this year have banned medical procedures for transgender youth. Now, a growing number of federal judges are blocking those laws from taking effect.

U.S. district court judges have halted such laws in six states - Alabama, Arkansas, Florida, Indiana, [Kentucky](#) and Tennessee - finding that they infringe on the constitutional guarantee to equal protection under the 14th Amendment.

Two lawsuits challenging laws in Montana and [Georgia](#) have yet to be ruled on, and in Oklahoma the opposing sides in May agreed to set aside the law until the court case is heard.

The court rulings offer temporary relief from the recent [rush of bills](#) banning transgender youth from receiving treatments such as puberty blockers and hormone therapy. Twenty states have passed such measures, with the bulk of them signed into law this year.

"It's quite noteworthy that the results in these cases have so far been so consistent," said Tobias Wolff, a University of Pennsylvania law professor specializing in constitutional law and LGBTQ rights. "And it's not because the law in this area was such a slam dunk. It's because the facts are so clearly against these laws."

Many conservative lawmakers have endorsed the laws as part of an effort to defend traditional values and portray Democrats as out of touch on issues of sex and religion.

Democrats, LGBTQ advocacy groups and health providers say the bans unjustly target a vulnerable community for whom gender-affirming care can be life-saving.

"The courts are starting to find very consistently that these laws are ridiculous," said Kevin Jennings, chief executive of Lambda Legal, a civil rights organization focused on LGBTQ issues. "They violate the equal protection clause, they're motivated by animus not science and they serve no state interest."

Judges, including three appointed by Republican former President Donald Trump, have found that gender-affirming care is medically necessary for transgender youth suffering from gender dysphoria - the stress caused by the divergence between one's gender identity and sex assigned at birth.

The judges also have said laws banning such care violate a parent's right to make healthcare decisions for their children.

"Courts are really taking time to understand and recognize the humanity of the families and children impacted by these bans," said Cynthia Cheng-Wun Weaver, litigation director for the Human Rights Campaign, the largest LGBTQ advocacy in the United States.

Supporters of the laws are undeterred, saying the courts have erred and that the prevailing medical consensus will change.

Matt Sharp, senior counsel for the Alliance Defending Freedom, which has advocated for the laws in multiple states, said states regularly regulate the medical profession based on age and procedure.

"Courts get it wrong sometimes," Sharp said. "This is still early in the process."

Jay Richards, director of the Heritage Foundation's DeVos Center for Religion and Civil Society, said judges were too easily influenced by a "toxic ideology" promoted by groups such as the American Academy of Pediatrics and the World Professional Association for Transgender Health.

"Judges have busy schedules and very little time to study the scientific details," Richards said.

In most of the states where judges have weighed in, the laws are blocked from taking effect while the challenges play out in court.

In Arkansas, however, a judge appointed by Democratic former President Barack Obama issued a permanent injunction striking down the law.

The lawsuits have been filed by advocacy groups such as the American Civil Liberties Union, the Human Rights Campaign and Lambda Legal on behalf of families of transgender youth.

Those groups have said they will challenge more of the state laws but are limited by funding constraints, legal resources and finding families willing to undertake the arduous process of suing their state governments.