

October 13, 2023

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Attorney General Marshall Leads Coalition Supporting Florida's Decision Not to Pay for Gender Transition Procedures

(Montgomery) – Alabama Attorney General Steve Marshall filed an 18-state amicus brief before the Eleventh Circuit Court of Appeals in support of Florida's healthcare regulation that declines to use Medicaid funds to pay for gender transitioning procedures. Earlier this year, a district court ruled that Florida's Agency for Health Care Administration violated the equal protection rights of transgender patients when it determined that the available scientific evidence did not support the use of puberty blockers and cross-sex hormones as safe and effective treatments for gender dysphoria. The order forced the state to use taxpayer funds to cover the treatments, and the agency appealed the decision.

"Healthcare authorities in the United Kingdom, Finland, Sweden, and elsewhere have all recently recognized that gender-transition procedures are experimental, if not pre-experimental," said Attorney General Marshall. "Florida's Agency for Health Care Administration came to the same conclusion. Yet the district court rejected that growing consensus and deferred instead to radical interest groups like the World Professional Association for Transgender Health, which advocates for gender transitioning procedures for gender dysphoric youth and 'medically necessary' castration for men self-identifying as eunuchs. Thankfully, the Constitution does not put WPATH in charge of the health and welfare of Florida's citizens."

The coalition's brief argues that medical interest groups such as the American Academy of Pediatrics and WPATH have not acted responsibly when it comes to gender transitioning procedures and that, until they do, States like Florida must step in to protect their citizens. The brief highlights a number of episodes that reveal that these medical organizations have suppressed dissent and rebuffed calls from doctors for a transparent review of their policies in light of the medical literature.

In August, Attorney General Marshall was successful in having the Eleventh Circuit vacate a preliminary injunction that a district court had entered concerning Alabama's Vulnerable Child Compassion and Protection Act, which prohibits the administration of gender transitioning procedures to minors. Marshall has also continued to lead the fight with briefs in support of states around the country, with recent victories in Tennessee, Kentucky, and Oklahoma.



Alabama co-led the brief with Arkansas and Tennessee. It was signed on to by attorneys general from Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Mississippi, Missouri, Montana, Nebraska, South Carolina, Texas, Utah, Virginia, and West Virginia.