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Attorney General Marshall Supports Revision of Biden-era Regulation Tying Disability Funding to Sex-Change Procedures

(**Montgomery, Ala**) – Alabama Attorney General Steve Marshall joined a multistate coalition that submitted a formal comment letter supporting the Trump Administration’s proposal to revoke a Biden-era regulation that unlawfully tied federal funding for state disability programs to payments for sex-change procedures.

In 2024, the Health and Human Services (HHS) under the Biden administration finalized a rule that sought to radically expand the definition of “disability” under Section 504 of the Rehabilitation Act to include “gender dysphoria.” The rule would thus require states accepting federal funding to pay for sex-change procedures for individuals who identify as transgender.

Attorney General Marshall joined attorneys general from other States to challenge the rule in court, noting that Congress expressly excluded payments for “gender identity disorders not resulting from physical impairments.” He argued that the rule violated the Rehabilitation Act, required that resources be diverted away from individuals with physical disabilities, and jeopardized services in states that did not accept the administration’s radical gender ideology.

The Trump administration has now issued a notice of proposed rulemaking to rescind the Biden-era rule and once again comply with federal law by removing the requirements that states pay for sex-change procedures.

“I applaud President Trump and his administration for working to remove woke ideology from HHS regulations,” stated Attorney General Marshall. “The Biden administration’s attempt to requires states to pay for sex-change procedures or risk losing federal funding was unlawful and would have hurt the very individuals Congress sought to help when it enacted the Rehabilitation Act. I am glad our work challenging the prior administration’s power grab has yielded such important fruit.”

The comment was filed by a multistate coalition led by the Texas Attorney General, who was joined by Attorney General Marshall and Attorneys General from Alaska, Arkansas, Florida, Georgia, Indiana, Iowa, Kansas, Louisiana, Missouri, Montana, Nebraska, South Carolina, South Dakota, Utah, and West Virginia.

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