



Questions About the Legal Status of Florida’s Transgender Healthcare Ban

On June 6, 2023, a federal court issued a preliminary injunction halting enforcement of Florida’s ban on healthcare for transgender minors *and saying the ban is unconstitutional.*

The lawsuit, *Doe v. Ladapo*, challenges both the Florida Boards of Medicine rules banning healthcare for transgender youth and SB 254, a recently enacted Florida statute that codified the ban for minors and prevents many transgender adults from obtaining care as well.

Seven families with transgender children filed the lawsuit challenging the ban. Three of those families, whose children faced imminent harm from losing access to healthcare, filed a motion for a preliminary injunction asking the court to block the state from enforcing the ban while the legal challenge proceeds.

What does the federal court’s preliminary injunction do?

In addition to providing immediate relief to the three plaintiffs who asked for a preliminary injunction, the court’s order means that the State of Florida cannot enforce the ban. **Because the court ruled that Florida’s ban on healthcare for transgender minors is unconstitutional, the State may not enforce either the law or the Board of Medicine rules to bar transgender youth from receiving medically needed transition-related health care.**

This means that healthcare providers throughout Florida may provide medically needed care to transgender youth without being subject to professional discipline or criminal prosecution while the case proceeds.

Does the preliminary injunction issued June 6 have an impact on other Florida transgender people and families that are not part of the lawsuit?

Yes. In its ruling, the Court said the challenged law and rules violate the equal protection rights of transgender youth by denying them medically necessary, provider-recommended healthcare. The Court also said the law and rules violate parents’ constitutionally protected autonomy to obtain established medical care for their children.

State officials may not enforce an unconstitutional law. Because the Court determined that the bans on medical care for transgender adolescents is unconstitutional, those bans may not be enforced by State officials to bar any transgender youth from receiving the care they need.

What should I do if I am being denied access to necessary healthcare in Florida?

Anyone with an immediate, urgent medical need who is unable to obtain essential healthcare in Florida because of SB 254 or the Boards of Medicine rules should get in touch with the legal organizations working on this case. You can reach out at gladanswers@glad.org or complete the intake form at www.GLADAnswers.org.

What are the next steps in the legal case?

The Court's scheduling order provided that the parties could agree to a trial date, so our goal is to resolve the case expediently and to secure a final ruling overturning the ban as soon as possible.

Does the Court's order apply to the provision of state law that bars physician assistants (PAs) and Advanced Practice Registered Nurses (APRNs) from prescribing medications for gender transition health care?

No. The order does not apply to that portion of the law; ***however, materials will soon be filed with the court to more specifically challenge that portion of the law.***

Who are the organizations challenging Florida's healthcare ban?

The organizations challenging the Florida healthcare ban are:

- Southern Legal Counsel www.southernlegal.org
- GLBTQ Legal Advocates & Defenders www.glad.org
- National Center for Lesbian Rights www.nclrights.org
- Human Rights Campaign www.hrc.org

Read more about the case, *Doe v. Ladapo*, at: www.glad.org/cases/doe-v-ladapo