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# Judge strikes down Arkansas ban on gender-affirming care for transgender minors

By ANDREW DeMILLO 2 hours ago



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LITTLE ROCK, Ark. (AP) — A federal judge struck down Arkansas' first-in-the-nation ban on gender-affirming care for children as unconstitutional Tuesday, the first ruling to overturn such a prohibition as a growing number of Republican-led states adopt similar restrictions.

U.S. District Judge Jay Moody issued a permanent injunction against the Arkansas law, which would have

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Arkansas' law,  
which Moody  
temporarily blocked  
in 2021, also would  
have prohibited  
doctors from  
referring patients  
elsewhere for such  
care. At least 19  
other states have  
enacted laws  
restricting or  
banning gender-  
affirming care for  
minors following  
Arkansas' law, and  
nearly all of them  
have been  
challenged in court.

In his order, Moody  
ruled that the  
prohibition violated  
the due process and  
equal protection  
rights of  
transgender youth  
and families. He  
said the law also  
violated the First  
Amendment rights  
of medical  
providers.



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“Rather than protecting children or safeguarding medical ethics, the evidence showed that the prohibited medical care improves the mental health and well-being of patients and that, by prohibiting it, the state undermined the interests it

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## Moody's ruling

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other decisions temporarily blocking similar bans in [Alabama](#) and [Indiana](#).

Republican Attorney General Tim Griffin said in a statement he planned to appeal Moody's ruling to the 8th U.S. Circuit Court of Appeals, which last year upheld the judge's temporary order against the law. Griffin said he was disappointed in the ruling, calling the health care "experimentation," an argument the judge's ruling said was refuted by decades of clinical experience and scientific research.

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the ban in 2021,  
providing a vote by

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Hutchinson, who left office in January and is now seeking the Republican presidential nomination, said the law went too far by cutting off treatments for children currently receiving such care.

The ruling affects only the Arkansas ban but may carry implications for the fates of similar prohibitions, or discourage attempts to enact them, in other states.

“This decision sends a clear message. Fear-mongering and misinformation about this health care do not hold up to scrutiny; it hurts



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executive director  
of the American

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“Science, medicine,  
and law are clear:  
gender-affirming  
care is necessary to  
ensure these young  
Arkansans can  
thrive and be  
healthy.”

The ACLU  
challenged the law  
on behalf of four  
transgender youth  
and their families  
and two doctors.

The ruling comes as  
even more states  
are poised to enact  
bans on care for  
transgender youth.

[Louisiana’s](#)  
Democratic  
governor has said he  
intends to veto a  
similar prohibition,  
though the  
Republican  
Legislature likely  
has the votes

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banned or restricted the care through regulations or administrative orders.

Florida's law goes beyond banning the treatments for youth by also prohibiting the use of state money for gender-affirming care and placing [new restrictions on adults](#) seeking treatment. A federal judge has [blocked Florida](#) from enforcing its ban on three children who have challenged the law.

Children's hospitals around the country have faced [harassment and threats](#) of violence for providing such care.





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prohibition is

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medical profession.  
People opposed to such treatments for children argue they are too young to make such decisions about their futures. Major medical groups, including the American Medical Association and the American Academy of Pediatrics, oppose the bans and experts say treatments are safe if properly administered.

Gov. Sarah Huckabee Sanders, Hutchinson's successor, in March signed legislation attempting to [effectively reinstate](#) Arkansas' ban by making it easier to sue providers of gender-affirming care for children. That law doesn't take effect until later this summer.

Sanders on Tuesday called the care "activists pushing a political agenda at

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protect children,"  
Sanders tweeted.

A roughly two-week trial before Moody included testimony from [one of the transgender youths](#) challenging the state's ban. Dylan Brandt, 17, testified in October that the hormone therapy he has received has transformed his life and that the ban would force him to leave the state.

"I'm so grateful the judge heard my experience of how this health care has changed my life for the better and saw the dangerous impact this law could have on my life and that of countless other transgender people," Brandt said in a statement released by the ACLU.

[Sabrina Jennen](#), another of the transgender youth who sued over the ban, said she felt a

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100% certainty that

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here today or at least in such a stable, mental state as happy as I am and as thriving as I am,” Jennen, 17, told The Associated Press. “Having this care, it truly lifted me up from the deepest, darkest place.”

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