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ADVOCACY

GLAAD Responds to Recent Court Rulings on Transgender Health Care in Texas, Missouri

By [Angela Dallara](#) - August 29, 2023 ⌚ 7 Min Read



Courtesy of Getty Images

Transgender Americans and their loved ones are being forced to navigate a more complicated array of attacks than ever on their rights. From legislative movement and court rulings to administrative actions and executive orders, anti-LGBTQ animus seems to be seeping into our community from all corners of our everyday lives and creating a confusing patchwork of varying laws and policies all over the country.

Most recently, this past Friday federal judges in Missouri and Texas issued court rulings within the span of hours that drastically differ in their findings. In Missouri, Judge Steven R. Ohmer [denied a preliminary injunction on SB 49](#), the state’s anti-transgender healthcare ban, meaning the ban is now in effect. SB 49 bans health care for transgender youth and for adults who are incarcerated, as well as banning Medicaid from reimbursing costs for transgender health care, including for adults.

State equality groups and advocates were quick to denounce the ruling and emphasize the harmful impact it would have on Missourians and their families. Aro Royston (he/him), Board Secretary for PROMO Missouri, the state’s leading LGBTQ+ public policy and advocacy organization, said in part: “We are enraged — not only has our government and elected officials failed us, but now our justice system has failed to do its job in protecting the most vulnerable of our population. The courts told the transgender community, parents of gender-expansive youth, and the entire LGBTQ+ community that we do not exist, that we do not have the right to make our own medical decisions or the right to bodily autonomy. There is no categorical ban like this in the world making the actions of the Missouri State Government the most egregious in history.”

NEWS RELEASE: PROMO Launches Story Collection Initiative to Hear from Trans Missourians Impacted by Anti-Trans Laws // As these laws take effect, we need to hear the harm it is causing across the state to help us find paths to fight back.<https://t.co/ly0byFlKo6>

— PROMO Missouri (@PROMOMissouri) [August 28, 2023](#)

In response, PROMO has now launched a new story collection initiative on its website in order to highlight transgender Missourians impacted by anti-transgender laws, including the ban on health care and a ban on transgender student participation in sports. Missouri’s transgender sports ban is one of the most severe in the country affecting both transgender boys and girls and public, private, and charter schools, as well as schools who participate in competitions against another team who has a transgender athlete competing. Any school who violates the law risks losing 100% of their state public funding.

[Justice Horn](#) (he/him), a Missouri community leader, chair of the City of Kansas City’s LGBTQ+ Commission, and formerly the NCAA’s first out gay multicultural college wrestler, also weighed in on the ruling: “Today is a dark day for civil rights in the state of Missouri. Missouri’s state

government has successfully stood in the way of access to life saving care for so many of our community's youth. They may win this legal battle, but the fight for greater access to gender-affirming care will continue because it has to; our youth deserve nothing less from us. To our community's trans youth, we're not going to rest until this injustice is corrected here in Missouri. Know that you're not alone in this fight—we see you, and we're going to continue to fight for you.”

If you live in Missouri or if you know LGBTQ people affected by the anti-LGBTQ laws in the state, participate in PROMO's story collection campaign by visiting their website at <https://promoonline.org/>.

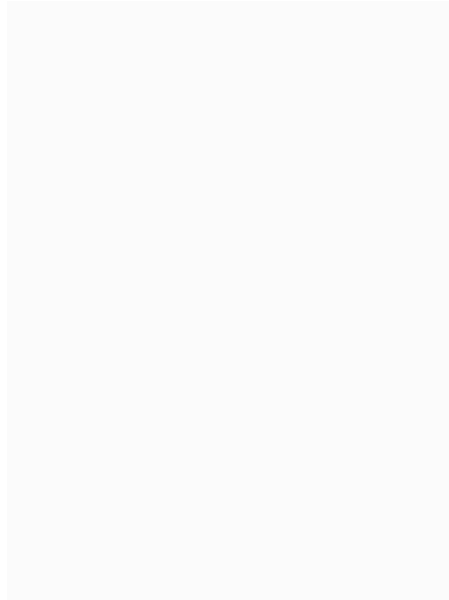
Meanwhile in Texas, a federal judge also issued a ruling on Friday reaching a different conclusion, striking down [SB 14, Texas' ban on health care for transgender youth](#). Texas' SB 14 bans life-saving health care for transgender youth and criminalizes and revokes medical licenses of any healthcare provider who prescribes such care. It also prohibits any public funding to anyone who provides or “facilitates” this treatment.

The news out of Texas is the latest among a growing chorus of courts that have found similar anti-transgender health care bans unconstitutional as well. But the victory was short-lived, as the Texas attorney general quickly appealed the decision. The ban is expected still to go into effect, preventing transgender Texans from receiving care beginning September 1 and making Texas the largest state in the nation to enforce such a ban as the legal challenge continues in court.

Ricardo Martinez (he/him), CEO of Equality Texas, said in response: “When we talk about life, liberty, and the pursuit of happiness, it's no mistake that life comes first. A full and vibrant life starts with a healthy mind and body. Yet, despite having some of the world's greatest doctors, most advanced medicine, health care will not be available to trans kids in Texas starting Sept. 1. Make no mistake, the care that trans kids receive is no different than care that is widely available to kids who aren't trans, SB14 only prohibits doctors from serving young trans patients. That's the definition of discrimination.

“We're committed to seeing that all young people, including trans youth, have access to health care,” he continued. “To the families that are struggling, trying to figure out your next move, we see you, and we will do everything in our power to support you. That's why we partnered with the Campaign for Southern Equality and TENT on the Southern Trans Youth Emergency Project.

It's an imperfect solution, and hopefully it's a temporary one. Our legal partners are continuing to fight, and we are not backing down."

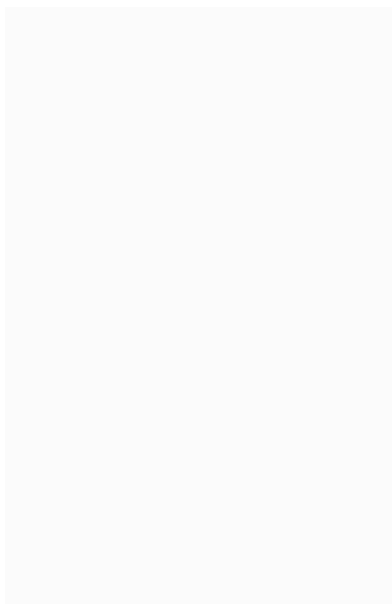


Ricardo Martinez speaks out in March at the Texas statehouse against anti-LGBTQ legislation (Courtesy of GLAAD)

"The court decision is a critical victory for transgender youth and their families, supporters, and health providers against this blatantly unconstitutional law," [said Brian Klosterboer \(he/him\), attorney at the ACLU of Texas](#). "As Texans, we believe that each one of us should have the freedom to be ourselves and have access to best-practice medical care that we need for ourselves and our children without facing cruel discrimination or bullying designed as policy. Trans Texans shouldn't have to go to court to defend their basic rights, and we will keep advocating for our clients every step of the way."

GLAAD's CEO and President, Sarah Kate Ellis (she/her), also spoke out in response to the recent rulings urging lawmakers not to move forward these dangerous bans. "The confusing patchwork of different laws regarding transgender Americans' ability to access basic health care is unfair and unsustainable," she said. "Access to lifesaving health care is a fundamental right that should not be denied to anyone in America, and especially not to transgender people who already face so much discrimination and violence. The government should stay out of the business of private health care decisions between patients, their families, and their medical providers. Transgender people, like all of us, deserve to find joy and happiness as their

authentic selves. We urge lawmakers and politicians to stop playing reckless games with transgender lives.”



*Sarah Kate Ellis criticized the confusing patchwork of laws aimed at preventing health care for transgender Americans
(Courtesy of GLAAD)*

The laws in Texas and Missouri are two examples of bans on transgender health care that have passed in approximately 21 states that are either currently in effect or facing legal challenges. Every major medical association and leading world health authority supports health care for transgender people and youth, and more than 30 such organizations have made public statements that can be found [here](#). Federal judges in Arkansas, Florida, Kentucky, and Tennessee have all additionally ruled against their states’ respective bans on health care for transgender Americans.

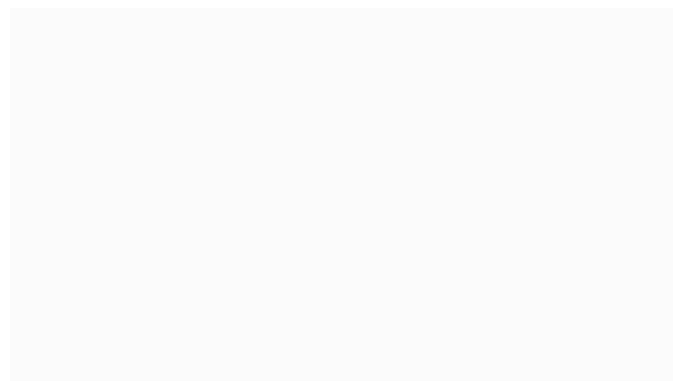
To learn more and see GLAAD’s full press statement on the news, visit <https://glaad.org/glaad-responds-to-court-rulings-on-transgender-health-care-in-texas-and-missouri/>.



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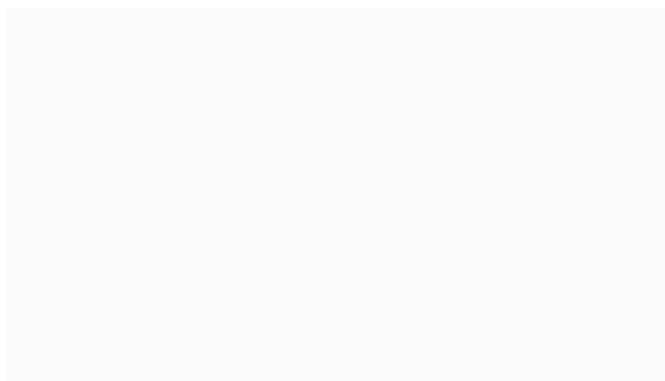
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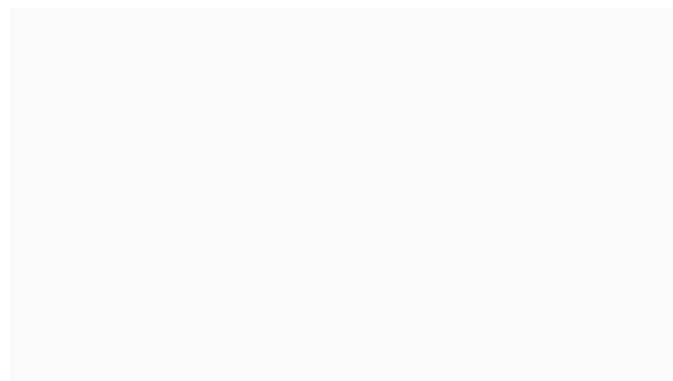
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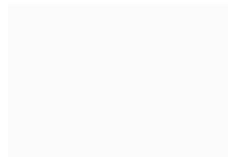
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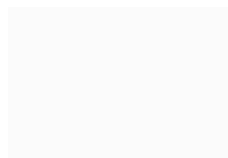
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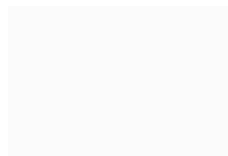
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