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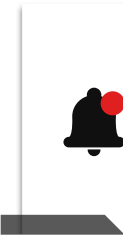
POLITICS >

Federal judge blocks Florida ban on Medicaid funds for transgender treatment

JUNE 22, 2023 / 5:11 AM / AP



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"Gender identity is real" and the state has admitted it, U.S. District Judge Robert Hinkle wrote in a 54-page ruling.

He said a Florida health code rule and a new state law violated federal laws on Medicaid, equal protection and the Affordable Care Act's prohibition of sex discrimination.

They are "invalid to the extent they categorically ban Medicaid payment for puberty blockers and cross-sex hormones for the treatment of gender dysphoria," Hinkle wrote.

The judge said Florida had chosen to block payment for some treatments "for political reasons" using a biased and unscientific process and that "pushing individuals away from their transgender identity is not a legitimate state interest."

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An email seeking comment from the DeSantis' office wasn't immediately returned.

Hinkle's harsh language echoed that in his ruling two weeks ago over a law that bans transgender minors from receiving puberty blockers. Hinkle, who was appointed by Democratic President Bill Clinton, issued a preliminary injunction so that three children could continue receiving treatment.

"We're gonna have to live in fear": The fight over medical care for transgender youth

The DeSantis administration and the Republican-controlled Legislature had banned gender-affirming treatments for children, and a law that DeSantis signed in May made it difficult - even impossible - for many transgender adults to get treatment.



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People hold signs during a joint board meeting of the Florida Board of Medicine and the Florida Board of Osteopathic Medicine gather to establish new guidelines limiting gender-affirming care in Florida, on Nov. 4, 2022.

RICARDO RAMIREZ BUXEDA / ORLANDO SENTINEL / TRIBUNE NEWS SERVICE VIA GETTY IMAGES

The latest ruling involved a lawsuit filed last year on behalf of two adults and two minors but advocacy groups estimate that some 9,000 transgender people in Florida use Medicaid to fund their treatments.

Winkler also addressed the issue of whether gender-affirming treatments were medically necessary and noted that transgender people have higher rates of depression and suicide than the general population.

Under attack - Florida is among 19 states that have enacted laws restricting gender-affirming care. Florida is the only state in the United States for more than a decade and is endorsed



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