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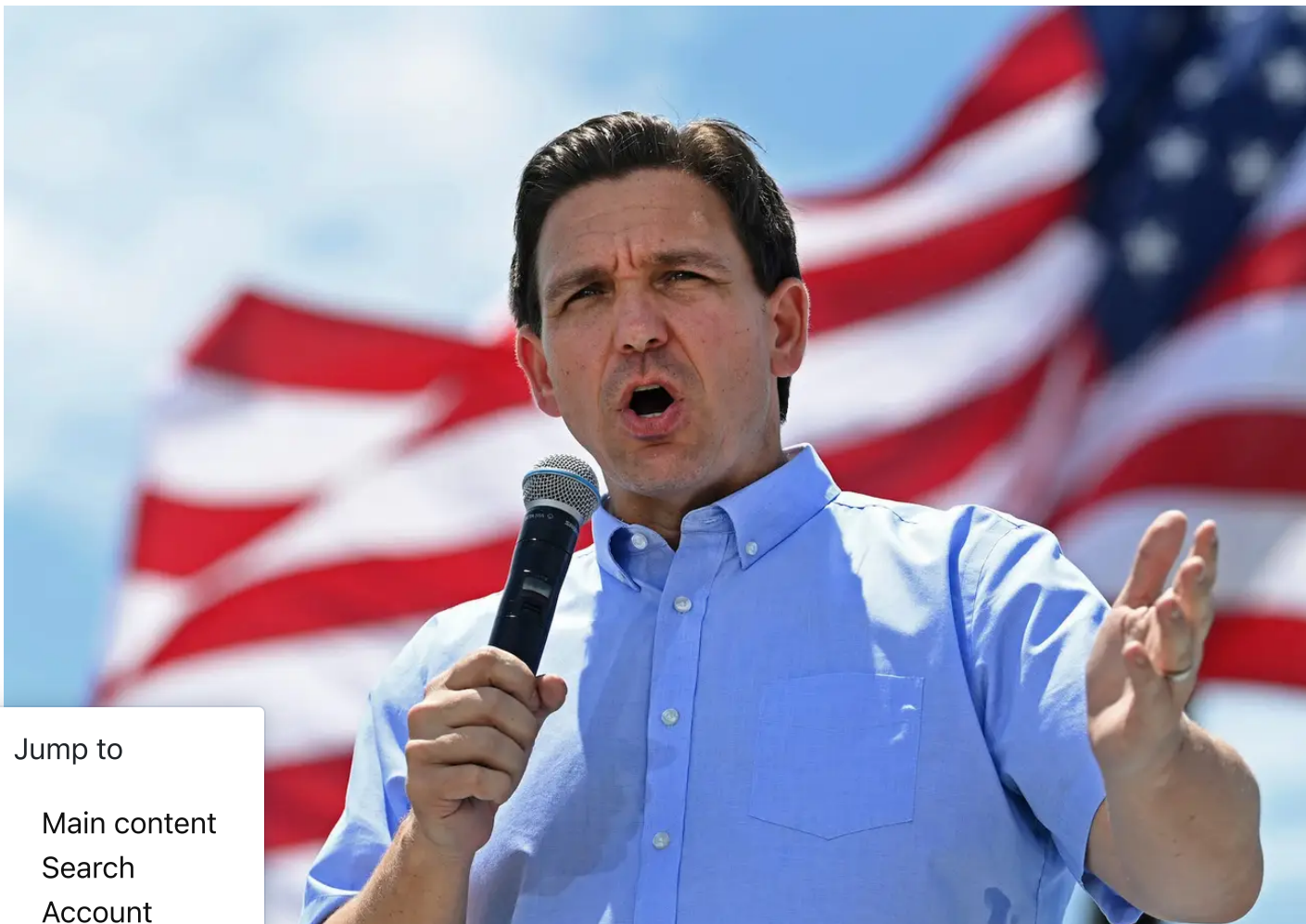
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Ron DeSantis loses in court on anti-transgender healthcare law for the 2nd time in a month as judge rebukes 'dog whistles' from Florida officials

Kimberly Leonard Jun 21, 2023, 8:13 PM PDT



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A Clinton-appointed judge struck down Florida's Medicaid ban on transgender healthcare.

The judge accused officials of enacting the ban "for political reasons."

This is the second battle over anti-trans healthcare measures that DeSantis has lost in a month.

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Wednesday struck down regulations in Florida that banned healthcare programs from paying for treatments like puberty-blocking hormone therapy for transgender people.

"made up," a "woke idea," or "profiteering by the pharmaceutical industry or doctors."

Proponents of the ban "should put up or shut up: do you acknowledge that there are individuals with actual gender identities opposite their natal sex, or do you not? Dog whistles ought not be tolerated," he wrote.

The governor's office and representatives from Florida's healthcare agency, the Agency for Health Care Administration, did not immediately respond to a request for comment Insider sent after hours.

Florida's ban went into effect in August 2022 and specifically applied to patients who receive their health insurance through Medicaid. This is a program paid for jointly by the state and the federal government that covers low-income people, many children, and people who qualify because of a disability.

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take shape in 2022 when Florida Gov. Ron DeSantis' office directed the agency to do an analysis on Medicaid patients who received medical care. Roughly 12,000 transgender patients in Florida are program, according to Lambda Legal, one of the firms that represented

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The medical services are known in the field as "gender-affirming healthcare" and include puberty blockers, cross-sex hormones, and surgery. Florida's healthcare agency concluded they were "experimental"— even though numerous medical groups have determined these services medically necessary — and blocked Medicaid from paying for them.

In response, healthcare and LGBTQ+ rights organizations sued in the US District Court for the Northern District of Florida on behalf of four patients in the state — two adults and two children who are 13 years old. Without Medicaid coverage, patients had to find other ways to pay for medical care themselves.

As the case was still being litigated, the GOP-majority Florida legislature sent a bill to DeSantis, which he signed into law, that adopted the regulations. Hinkle struck down the law as part of Wednesday's order.

...union, Hinkle accused health officials of instituting the ban "for given that Florida's Medicaid system long "paid for medically ents for gender dysphoria."

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identity, male or female, just as one might choose whether to read Shakespeare or Grisham," he wrote. "Many people with this view tend to disapprove all things transgender and so oppose medical care that supports a person's transgender existence."

Hinkle, who was appointed by President Bill Clinton, is the same judge who, earlier this month, blocked portions of a Florida law that aimed to ban transgender minors from receiving puberty blockers and cross-sex hormones.

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"The elephant in the room should be noted at the outset," he wrote, using similar language to his earlier opinion. "Gender identity is real. The record makes this clear."

The state failed to show that people receive transition-related healthcare without first receiving therapy and being evaluated by numerous medical providers, Hinkle wrote. Even if that were the case, he said, the solution should be better regulations rather than an all-out ban.

DeSantis is running for the 2024 Republican nomination for president and has made anti-trans measures a centerpiece of his platform.

...r stop in Charleston, South Carolina, in April, he defined affirming the transgender people as "unmoored from truth" and dismissed medical to back transition-related healthcare as "ideological" and called transgender care "rogue elements of the medical establishment."

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He signed several bills into law in Florida this year that severely disrupt the lives of transgender people in Florida, including criminalizing instances in which people use restrooms at government facilities that don't match the gender they were assigned at birth.

"It is unfortunate that Florida politicians like Ron DeSantis have sought to attack the most vulnerable to score political points," Omar Gonzalez-Pagan, Counsel and Health Care Strategist at Lambda Legal, said in a statement on Wednesday.

"However, today's ruling makes clear that discrimination is wrong and recognizes that every person in Florida, including transgender people, deserves equal access to evidence-based and lifesaving medical care," Gonzalez-Pagan added.

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