

Updated May 17, 2023 - Health

What states are restricting transgender health care



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State of play: Utah in January enacted a law banning gender-affirming health care for transgender youth. Since then, several states have followed suit.

- [Arkansas](#) in 2021 became the first state to make gender-affirming care for patients under 18 illegal, but the ban is being challenged in court. A similar law in [Alabama](#) is also on hold.
- [Missouri's attorney general](#) issued regulations to restrict access to gender-affirming care, saying that the treatments were "experimental." The order was put [on hold](#) by a state judge.
- Florida last year became the first state to enact a ban through a non-legislative body, [using a medical board](#) appointed by Gov. Ron DeSantis. Legal experts fear it could set a precedent for restrictions on other forms of health care.
 - Florida Republicans turned to executive action from DeSantis — who has [openly opposed](#) gender-affirming care for minors — after a legislative attempt failed, per legal experts.
- In Texas, Gov. Greg Abbott [issued a directive](#) ordering state agencies to investigate parents for child abuse for seeking gender-affirming care for their trans kids.

Reality check: 71% of LGBTQ youth — including 86% of trans and nonbinary youth — say that debate around state restrictions on LGBTQ young people has negatively impacted their mental health, according to a [poll by The Trevor Project](#), which provides crisis intervention and suicide prevention services to LGBTQ youth.

- [Kansas](#), [South Carolina](#), [Oklahoma](#) and [Texas](#) have bills moving through their legislatures to ban care for people under 21. Texas also has a proposed ban for people under 26.

Zoom in: [Texas](#), [Wyoming](#) and [New Hampshire](#) have bills that also categorize gender-affirming care as child abuse under state law.

What else is happening: Lawmakers in states like [Indiana](#), [Kentucky](#), [Missouri](#) and [Oklahoma](#) have introduced bills prohibiting the use of state funds to pay for gender-affirming medical care, as well as barring insurers from offering coverage.

What they're saying: Opponents say the measures impose restrictions on the doctor-patient relationship.

- "Decisions around transgender medical care should be between trans patients, their families, and their doctors — not made by politicians," said Kasey Suffredini, vice president of advocacy and government affairs at The Trevor Project.

Meanwhile... Lawmakers in at least 21 states are working on "trans refugee laws" that would allow out-of-state patients to seek gender-affirming care within their borders to avoid criminal prosecution, said Elliot Imse, executive director of LGBTQ Victory Institute, an advocacy group working with state lawmakers across the U.S.

- Such laws have been enacted in [California](#), [Connecticut](#), [Illinois](#) and [Massachusetts](#). They look to protect trans patients and health providers from potential prosecution in other states.

Below are prominent anti-trans health care curbs in the 2023 legislative cycle.

Arizona: [SB 1138](#) passed the state legislature in 2022 and took effect in 2023. It prohibits health providers from offering gender-affirming surgeries to trans people under 18.

Arkansas: [SB 199](#) makes it easier to sue health providers who provide gender-affirming care to a minor, effectively bringing back the state's blocked ban.

Florida: [SB 254](#) makes it illegal for health providers to provide gender-affirming care to trans youth under the age of 18, as well as adds restrictions for adults. A health provider who violates the law could face up to five years in prison.

Georgia: [SB 140 prohibits doctors](#) from administering hormone therapy or gender-affirming surgeries to trans minors. The law states that a physician who violates the law "shall be held administratively accountable" by the state's medical board.

Idaho: [HB 71](#) states that health providers cannot provide gender-affirming care to minors if it's offered to "affirm" their gender identity. Violators face up to 10 years in prison.

Indiana: [SB 480](#) prohibits health practitioners from providing gender-affirming care to trans youth, as well as bans them from "aiding or abetting" other professionals who offer this type of care. Health providers could lose their license or face lawsuits.

- [HB 1569](#) bars the Indiana Department of Correction from paying for an inmate's gender-affirming surgery.

Kentucky: [SB 150](#) took effect after the legislature overrode a veto from the governor. The law states that a health provider cannot offer gender-affirming care to "validate" a trans minor's gender identity. Doctors who provide such care could lose their medical license and be sued.

Mississippi: [HB 1125](#) states that health providers cannot offer gender-affirming surgeries, puberty blockers or hormone therapy to trans youth under 18. If a provider violates the law, they could lose their license and face civil lawsuits.

Montana: [SB 99](#) prohibits health providers from providing gender-affirming care on a trans minor. A provider who violates the law could lose their license for at least a year and face lawsuits from the minor's guardian or the state's attorney general. State officials are also barred from promoting or advocating the use of "social transitioning."

North Dakota: [HB 1254](#) says that health providers cannot provide any sort of gender-affirming care when "a minor's perception of the minor's sex is inconsistent with the minor's sex." A provider could face up to 10 years in prison for violating the law.

Oklahoma: [SB 613](#) says that a health care provider "shall not knowingly" provide gender-affirming care to any trans youth. Anyone who violates the law will be considered "guilty of a felony," could lose their medical license and face legal challenges.

South Dakota: Under [HB 1080](#), a health care provider cannot offer gender-affirming care "for the purpose of attempting to alter the appearance of, or to validate a minor's perception of, the minor's sex." A medical provider risks lose their license, as well as risk civil action, if they provide this type of car to trans youth.

or the state attorney general.

Utah: [SB 16](#) specifically prohibits health care providers in the state from performing gender-affirming surgeries on trans youth and places an indefinite moratorium on their access to hormone therapy and puberty blockers.

West Virginia: [HB 2007](#) bars physicians from providing gender-affirming care to trans minors.

Go deeper: [Axios Explains: Gender-affirming care in the U.S.](#)



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