

# *Loe v. Texas*

## Challenging Texas' Transgender Youth Medical Ban, Senate Bill 14

Trans Texans, like all Texans, have the right to get the medical care they need. S.B. 14 is an unconstitutional law that overrides the judgment of patients, parents, and medical providers by banning life-saving medical care for transgender youth. State leaders' obsession with attacking transgender kids and their families is needlessly cruel. This lawsuit aims to block S.B. 14 from going into effect September 1, 2023, so that transgender Texans can continue to access this best-practice, evidence-based care.

### What does SB 14 do?

- S.B. 14 prohibits Texas healthcare professionals from providing medical care to adolescents for the treatment of gender dysphoria and threatens doctors' licenses if they do.
  - Puberty blockers and hormone therapy have been used to treat gender dysphoria for decades, are firmly grounded in science and the standards of care, and are considered life-saving care by every major medical association.
  - Many, but not all, transgender youth experience gender dysphoria, which is a serious medical condition. Some, but not all, transgender youth need medical care to be able to live and thrive as their authentic selves.
- S.B. 14 bans this care for transgender youth while allowing the same treatments to be provided to any other young person for any other reason.
  - This law is clearly discriminatory and violates the Texas Constitution.
- S.B. 14 will irreparably harm transgender youth and their families across Texas, especially those with fewer economic resources.
  - The law bars state funding of medical care for the treatment of gender dysphoria, including through Medicaid and the Children's Health Insurance Program.
  - Many families with transgender youth who can afford it are fleeing the state, splitting up their families, or making plans to fly hundreds of miles to seek care in other states. But many other young transgender Texans — including those in foster care or juvenile detention — don't have these options.

### What is this Lawsuit, *Loe v. Texas*?

- Five Texas families with transgender children and adolescents, three medical providers, and [PFLAG](#)<sup>1</sup> and [GLMA](#)<sup>2</sup> — which represent hundreds of families and health professionals across the state — have sued the State of Texas, its attorney general, the Health & Human Services Commission, and the Texas Medical Board.

<sup>1</sup> Founded in 1973, PFLAG is the first and largest organization dedicated to supporting, educating, and advocating for LGBTQ+ people and their families.

<sup>2</sup> GLMA is a national organization committed to ensuring health equity for lesbian, gay, bisexual, transgender, and queer (LGBTQ+) communities and equality for LGBTQ+ health professionals in their work and learning environments.

- The plaintiffs in this case are represented by the American Civil Liberties Union, ACLU of Texas, Lambda Legal, Transgender Law Center, and the law firms Scott Douglass & McConnico LLP and Arnold & Porter Kaye Scholer LLP. They filed suit in state court in Travis County, Texas.
- This lawsuit claims that S.B. 14 is unconstitutional under the Texas Constitution because it violates the rights of parents to provide best-practice medical care for their children. It also impermissibly discriminates against transgender adolescents on the basis of sex and transgender status and violates the rights of healthcare providers by interfering with their licensure and ability to practice medicine.

## What is the status of *Doe v. Abbott* and *PFLAG v. Abbott*?

- In February 2022, Gov. Greg Abbott and the Department of Family and Protective Services (DFPS) attempted to classify health care for the treatment of gender dysphoria as child abuse under Texas law.
- The ACLU, the ACLU of Texas, Lambda Legal, and Baker Botts LLP filed two lawsuits to stop DFPS investigations into families of transgender youth across Texas. They won court orders stopping these investigations in both [\*Doe v. Abbott\*](#) and [\*PFLAG v. Abbott\*](#) that are still in place and apply to members of PFLAG and their families in Texas.
- These court decisions are on appeal and are not yet final. The information in [this \*PFLAG v. Abbott\* fact sheet](#) is still applicable and important for families with transgender youth in Texas.

## As a transgender young person in Texas, what can I do?

- Know that you are loved and supported. Visit [TX Trans Kids](#) for resources and a list of organizations that are working to support you.
- Remember that your medical information is private and confidential. You don't have to share details about the medical care you receive with anyone.
- [Sign up](#) for updates from the ACLU of Texas.

## As the parent or guardian of a transgender young person, what can I do?

- [Join PFLAG](#) and maintain your membership.
- Find additional information and resources at [TX Trans Kids](#).
- [Sign up](#) for updates from the ACLU of Texas.

## As a medical provider, what can I do?

- [Join GLMA](#) and maintain your membership.
- [Sign up](#) for updates from the ACLU of Texas.

