

Gender affirming care litigation updates

Health Equity

08.26.25

There have been several updates with litigation centered around gender affirming care. On August 1, sixteen states and D.C. filed a [federal suit](#) against the Trump administration for what the plaintiffs claim have been efforts to establish a “de facto” national ban on gender affirming care for adolescents. The plaintiffs’ complaint alleges numerous instances of concerted efforts, including criminal investigations and threatened prosecutions, by the Department of Justice (DOJ) and others arguably as a means by which to intimidate and instill fear among providers who might otherwise provide such services to their patients. Meanwhile, on August 6, the [10th Circuit Court of Appeals](#) affirmed an Oklahoma Federal District Court’s decision denying the plaintiffs’ request to enjoin a state law that bans providers from providing gender affirming care to minors. Lastly, on August 8, several representative state prison transgender inmates filed a [class action lawsuit](#) in federal court against Georgia over a [new law](#) that bans them from receiving gender affirming care, claiming it is unconstitutional under the 8th Amendment’s prohibition of cruel and unusual punishment.