

Recent Legal Developments in California for Gender-Affirming Care

Health Equity

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Although there have been numerous developments in the gender-affirming care space, two recent California-specific updates involve litigation in this area grounded in distinctly different legal theories. On Jan. 2, the Department of Justice (DOJ) reached an [agreement](#) with families who sued over DOJ's subpoena of medical and personal information, among other records, for more than 3,000 pediatric patients seeking transgender care from Children's Hospital Los Angeles. Under the agreement, the DOJ agreed to accept deidentified documents, as defined under the HIPAA Privacy Rule, and to provide advanced notice if it seeks these records (either through a new Subpoena or rescinding its instructions to CHLA to redact information) prior to Feb. 1, 2029. Later in January, the California Attorney General (AG) filed a [lawsuit](#) against Rady Children's Health located in San Diego, alleging that Rady violated its commitment to continue providing gender-affirming care to its pediatric patients through 2034. The agreement was one of the requirements the AG's office placed upon Rady in approving its merger with Children's Hospital of Orange County in Nov. 2024. Most recently, the court granted the AG's request for an order requiring Rady's to continue to provide certain gender-affirming care through March 10, when another hearing will occur.