

# Attorney General Raoul Supports Lower Court Ruling Invalidating Arkansas' Ban On Gender-Affirming Care For Transgender Youth

December 18 2023 9:38 AM



CHICAGO - Attorney General Kwame Raoul, along with 19 attorneys general, filed an amicus brief urging the U.S. Court of Appeals for the 8th Circuit to uphold a lower court ruling against an Arkansas law banning gender-affirming care for transgender youth.

[In their brief](#), Raoul and the coalition support the blocking of Arkansas' Act 626 in *Brandt et. al v. Griffin* because it violates equal protection by prohibiting transgender youth from accessing medical treatment such as hormone therapy and puberty blockers to treat gender dysphoria.

“Access to gender affirming care is significant to transgender youth’s physical and mental health. It can even be lifesaving,” Raoul said. “I will continue to work with fellow attorneys general to support the rights of all transgender people and ensure they have access to the care they need without jeopardizing their health and safety.”

On April 6, 2021, the Arkansas General Assembly passed Act 626, which bans healthcare providers from providing gender-affirming treatment to transgender teenagers and even providing referrals for such treatment. Healthcare providers who failed to comply with the law could lose their professional licenses and would be at risk of professional discipline.

Earlier this year, the district court issued a permanent injunction enjoining Arkansas officials from enforcing the law. The Arkansas officials appealed that decision, and the 8th Circuit decided to hear the case. The coalition’s brief supports the law’s challengers in their defense of the district court’s decision invalidating the law.

In their amicus brief, Raoul and the coalition stress the importance of gender-affirming care for the health and well-being of transgender youth and argue that the law:

- Significantly harms the health and lives of transgender people by denying them medically necessary care that protects their physical, emotional, and psychological health.
- Is discriminatory and violates the Equal Protection Clause of the U.S. Constitution by banning medical treatment for transgender youth based on their sex and on their gender identity.
- Fails to recognize how inclusive laws and policies have benefited transgender individuals.
- Does not withstand heightened scrutiny because a complete ban on medically necessary healthcare is not substantially related to Arkansas’ asserted interests.

Joining Raoul in filing the amicus brief are attorneys general of California, Colorado, Connecticut, Delaware, the District of Columbia, Hawaii, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New York, Oregon, Pennsylvania, Rhode Island, Vermont and Washington.