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Supreme Court Fails Trans People, Upholds Bans on Gender-Affirming Medical Care

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BOISE – Today, the Supreme Court of the United States (SCOTUS) made a landmark decision when it ruled in *U.S. v. Skrametti* that banning gender-affirming medical care for minors does not discriminate on the basis of sex or transgender status.

This ruling means that bans on gender-affirming medical care do not qualify for heightened judicial scrutiny under the Equal Protection Clause of the Fourteenth Amendment.

In 2023, Idaho passed House Bill 71 to ban gender-affirming medical care for minors, and the ACLU of Idaho filed a lawsuit against the state with *Poe v. Labrador*. The court granted a preliminary injunction in the case, agreeing that the new law would bring unnecessary harm to many. In April 2024, a SCOTUS ruling narrowed the implementation of the preliminary injunction so that it only applied to the two plaintiffs, allowing the ban to be enforced to all other minors in Idaho seeking care for gender dysphoria.

This year, *Poe v. Labrador* was dismissed because both plaintiff families moved out of the state.

“Transgender people deserve access to lifesaving medical care, full stop,” said **Paul Carlos Southwick, ACLU of Idaho Legal Director**. “This ruling sidesteps the protections our Constitution affords to our transgender community. We will continue fighting to uphold the Constitution and to ensure everyone is treated equally and can access medically necessary medical care.”

“Idaho has done what it set out to do – drive out transgender people who don’t want to tolerate the unnecessary hostility toward them,” said **Jenna Damron, ACLU of Idaho Advocacy Fellow**. “I wish I could say this ruling is surprising, but I’m not

surprised. Still, I want every trans kid out there to know: You are loved. You are worthy. And we will keep fighting for you, no matter what this court says.”

“Make no mistake: Gender-affirming health care is health care and should be administered by a qualified medical professional, free from government interference,” said **Emily Croston, ACLU of Idaho Staff Attorney**. “It’s not elective, and it’s not dangerous. It’s widely accepted by modern medicine, and taking it away from anyone – even minors – solves no problem, but creates harm for all trans youth.”

The ACLU of Idaho is still advancing other lawsuits to protect trans rights, including *Hecox v. Little* and *Robinson v. Labrador*.

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*The **ACLU of Idaho** is a non-partisan, non-profit organization dedicated to the preservation and enhancement of civil liberties and civil rights. The ACLU of Idaho strives to advance civil liberties and civil rights through activities that include litigation, education, and lobbying. Learn more at acluidaho.org.*