

ACLU Sues Arkansas Over Ban on Health Care for Transgender Youth

EMBARGOED

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LITTLE ROCK — The American Civil Liberties Union today filed a lawsuit on behalf of four transgender youth and their families as well as two doctors challenging an Arkansas law that prohibits healthcare professionals from providing or even referring transgender young people for medically necessary health care. The bill also bars any state funds or insurance coverage for gender-affirming health care for transgender people under 18, and it would allow private insurers to refuse coverage for gender-affirming care for people of any age. The lawsuit, filed in federal court, alleges that House Bill 1570 violates the U.S. Constitution.

The ACLU says today's lawsuit is the first of many legal challenges in response to a record-setting year of legislative attacks on transgender people, particularly transgender youth, across the country.

"This law would be devastating to transgender youth and their families, forcing many to uproot their lives and leave the state to access the gender-affirming care they need," said **Holly Dickson, ACLU of Arkansas executive director**. "Gender-affirming care is life-saving care for our clients, and they're terrified of what will happen if this law is allowed to take effect. No child should be cut off from the medical care they need or denied their fundamental right to be themselves – but this law would do both. We're suing to stop this cruel and unconstitutional law from taking effect and inflicting further harm on these children and their families."

The plaintiff families include Dylan Brandt and his mother, Joanna Brandt; Brooke Dennis and her parents, Amanda and Shayne Dennis; Sabrina Jennen and her parents, Lacey and Aaron Jennen; and Parker Saxton and his father, Donnie Saxton.

Dr. Michelle Hutchison and Dr. Kathryn Stambough are also challenging the law on behalf of themselves and their patients because it impairs their ability to treat their transgender patients with medically necessary health care or even refer them to other providers for treatment. Every major medical association [supports](#) treating transgender youth with gender-affirming medical care and opposed House Bill 1570 because it runs counter to science and medicine and will cause severe harm to transgender young people, their families and all those who love them.

Amanda and Shayne Dennis's daughter, Brooke, who is 9 years-old, is fearful about what will happen to her if she cannot get gender-affirming medical care when puberty begins.

"Our child has known exactly who she is since she was 2 years-old," said **Amanda Dennis, Brooke's mom**. "She was a happy child and felt comfortable expressing herself but when she began to feel pressure at school to pretend she is a boy, she began to really struggle. It was painful to watch our child in distress. Last year, when she told us she is a girl and would like to be called 'Brooke' and referred to using she and her pronouns, we supported her immediately and the cloud of sadness lifted and her smile came back." She added, "We have told all of our children that we will always protect them, but this law stands in the way of our child getting the medical care she will desperately need."

The Dennis family may move out of the state if the health care ban takes effect. Uprooting their family from their community, schools and jobs would not only be a hardship for Amanda, Shayne and their children, but also their extended family, as they are caring for aging parents.

“This is who I am, and it’s frustrating to know that a place I’ve lived all my life is treating me like they don’t want me here,” said **Dylan Brandt a 15-year-old who lives with his mother Joanna Brandt**. “Having access to care means I’m able to be myself, and be healthier and more confident – physically and mentally. The thought of having that wrenched away and going back to how I was before is devastating.”

Thirty-five states have considered anti-trans legislation in 2021. So far, Arkansas is the only state to pass legislation banning health care for trans youth, though a bill in Texas is still active.

“These attacks against trans youth in Arkansas and in states around the country will not go unchallenged—not while they are debated in legislatures, not after they pass, not when they are discussed in public conversation,” said **Chase Strangio, deputy director for transgender justice with the ACLU’s LGBTQ & HIV Project**. “The ACLU and our partners will be filing several lawsuits over the course of the next few months to make it clear that there is a robust movement of trans people and allies fighting for trans justice. Trans young people should not have to fight so hard to live. Even with supportive families, these bills have devastating consequences. Our work will not be done until every law that targets transgender people is struck down as unconstitutional and all transgender people are able to live without fearing discrimination and violence because of who we are. To all the transgender people who are fighting each day, please know that you are not alone and that we will continue to build movements for justice that center your needs, your experiences, and your beauty.

The lawsuit was filed by the ACLU’s Jon L. Stryker and Slobodan Randjelović LGBTQ & HIV Project, the ACLU of Arkansas, and the law firms of Sullivan & Cromwell LLP, Gill Ragon Owen, and the Walas Law Firm.

This statement is online here: