

October 7, 2020

**ATTORNEY GENERAL RAOUL FILES BRIEF IN SUPPORT OF HEALTH CARE RIGHTS FOR
TRANSGENDER AMERICANS**

Chicago — Attorney General Kwame Raoul today joined a coalition of 18 attorneys general in filing [an amicus brief](#) supporting the plaintiffs in *Kadel v. N.C. State Health Plan*, who are seeking coverage for gender dysphoria or other gender-affirming treatment. Raoul and the coalition argue that the Affordable Care Act (ACA) protects transgender individuals from discrimination in health care and requires the state to provide them with coverage.

The ACA provides millions of Americans with access to quality, affordable health insurance coverage and prevents discrimination in health care by extending prohibitions on sex discrimination to health care programs and services. Specifically, Section 1557 of the ACA expressly prohibits all health programs and activities receiving federal financial assistance from discriminating against individuals on the basis of race, color, national origin, sex, age or disability. This includes medical providers, health systems and health insurers.

“The Affordable Care Act explicitly protects individuals from experiencing discrimination in health care. Denying coverage of treatments routinely sought by transgender individuals goes against this mandate,” Raoul said. “I will continue to oppose policies motivated by prejudices that hinder access to critical health care services.”

The plaintiffs, Maxwell Kadel, Jason Fleck, Connor Thonen-Fleck, Julia McKeown, Michael D. Bunting, Jr., C.B., and Sam Silvaine – all state employees and their families – sued the North Carolina state health plan for denying health coverage. In today’s brief, Raoul and the coalition argue that the health plan’s discriminatory tactics put the lives of transgender people at risk by denying them treatment known to improve their physical and mental health.

Raoul and the attorneys general also argue that Section 1557 should be applied uniformly across the country in order to protect Americans from discrimination as Congress intended. The ACA’s reforms have significantly increased access to health care for LGBTQ+ individuals and their families. Allowing health plans to selectively deny coverage to certain groups, like transgender people, causes uncertainty and confusion for people who may already be reluctant to seek medical care. Applying Section 1557 uniformly will assure all transgender Americans that they will be able to access quality health care no matter where they are.

Joining Raoul in the brief are the attorneys general of California, Colorado, Delaware, the District of Columbia, Hawaii, Maine, Massachusetts, Minnesota, Nevada, New Jersey, New Mexico, New York, Oregon, Rhode Island, Vermont, Washington and Wisconsin.