

TLDEF Responds to Arguments in California v. Texas Heard by U.S. Supreme Court



(New York, New York – November 10, 2020) – Today, the Transgender Legal Defense & Education Fund (TLDEF) issued the following statement by **Executive Director Andy Marra** in response to oral arguments in *California v. Texas* heard by the U.S. Supreme Court:

"This case is part of a sustained attack against the Affordable Care Act that could leave tens of millions out in the cold. The individual mandate and the nondiscrimination protections in Section 1557 have expanded access to affordable, affirming health care for millions of transgender people. Overturning the Affordable Care Act would have disastrous, life-and-death consequences, particularly for those whom exposure to COVID-19 could be a pre-existing condition."

The lawsuit seeks to challenge the individual mandate of the Affordable Care Act (ACA), which requires most people to maintain a minimum level of health insurance. Section 1557 of the ACA provides nondiscrimination protections that prohibit transgender people from being denied equal access to health care. If the individual mandate is held unconstitutional, the ACA and the nondiscrimination protections afforded under Section 1557 of the federal statute could also be overturned, exposing transgender people to legal discrimination and denial of health care.

The legal challenge to the ACA could also jeopardize expanded access to Medicaid and leave millions without access to affordable health care, including one in eight transgender people who rely upon the public health insurance plan.

In July, TLDEF jointly [filed a federal lawsuit](#) on behalf of seven plaintiffs against the Trump administration after the U.S. Department of Health and Human Services finalized a rule that would invite insurance companies, hospitals, and health care providers to illegally deny patients care because of who they are in direct violation of the nondiscrimination provisions of Section 1557. The federal lawsuit was filed less than a week after the *Bostock v. Clayton County* decision affirmed that employment discrimination against LGBTQ people violates federal law.

About TLDEF

TLDEF is committed to ending discrimination based upon gender identity and expression and to achieving equality for transgender people through public education, test-case litigation, direct legal services, and public policy efforts. Please support TLDEF today to help us transform the legal landscape for transgender and non-binary people nationwide. To learn more, visit tldef.org.

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