HHS Rescinds Guidance on Gender-Affirming Care for Minors



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On February 20, 2025, the U.S. Department of Health and Human Services (HHS) Office for Civil Rights (OCR) published a notice rescinding previous guidance from March 2, 2022 that stated that transgender medical interventions may improve both physical and mental health outcomes for minors. According to the previous guidance, discrimination on the basis of gender identity is considered prohibited discrimination under Section 1557 of the Affordable Care Act, gender dysphoria may qualify as a disability under Section 504 of the Rehabilitation Act and Americans with Disabilities Act, and HIPAA prohibits covered entities from disclosing protected health information about gender affirming care without patient authorization, except for limited circumstances. The OCR's rescission of the 2022 guidance comes directly in response to Executive Order 14187, "Protecting Children from Chemical and Surgical Mutilation," which orders the Secretary of HHS to withdraw the March 2, 2022 guidance, and to "take all appropriate actions to end the chemical and surgical mutilation of children."

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