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Trump Targets Gender-Affirming Care For Minors In New Order

By **Dan McKay**

Law360 (January 28, 2025, 9:58 PM EST) -- President Donald Trump ordered federal agencies late Tuesday to take steps to halt gender-affirming care for minors, including by cutting off Medicaid and military health coverage for what he called a "stain on our nation's history."

More broadly, the president declared it against federal policy to fund or support gender-affirming care for minors, which he said is harming children across the country.

"This dangerous trend will be a stain on our nation's history, and it must end," the president said in the order.

The action came as the U.S. Supreme Court weighs a challenge to a Tennessee law that restricts gender-affirming care for minors. Opponents of the law say it warrants **heightened scrutiny** under the Constitution because it relies on sex-based classifications and discriminates against transgender people.

The American Civil Liberties Union likewise called Trump's order unconstitutional.

"Today's order lays out a clear plan to shut down access to life-saving medical care for transgender youth nationwide, overriding the role of families and putting politics between patients and their doctors," said Chase Strangio, co-director of the ACLU's LGBT & HIV Project and lead counsel for families challenging the Tennessee law. "We will not allow this dangerous, sweeping, and unconstitutional order to stand."

In Tuesday's order, Trump directed the Department of Health and Human Services to take all appropriate steps to "end the chemical and surgical mutilation of children," including by making changes to conditions of participation or conditions for coverage in Medicare and Medicaid.

He also directed the Department of Defense to issue rules excluding coverage for gender-affirming care for people 18 or younger. Through Tricare, the military covers about 2 million teens and children, according to the order.

Agencies that handled federal employee health benefits were also instructed to take action for the 2026 health plan year.

Trump also ordered federal authorities to prioritize enforcement of laws against female genital mutilation and the investigation of "misleading" claims about the long-term impact of gender-affirming care.

The sweeping order also touches on medical research, directing federal agencies that fund research to ensure that medical schools and hospitals receiving grants don't participate in gender-affirming care for minors. Agencies were told to rescind any policy based on guidance from the World Professional Association for Transgender Health.

The order is the latest in an avalanche of executive actions announced by President Trump after his return to office last week. He also has **issued** two anti-abortion orders, moved to withdraw from the World Health Organization and pardoned activists convicted of storming a reproductive health clinic.

The federal government last week also **dropped** criminal charges against Texas surgeon Eithan Haim, who had been accused of improperly accessing patient information and sharing information about a hospital's gender-affirming care practices with the press.

--Additional reporting by Catherine Marfin and Hannah Albarazi. Editing by Rich Mills.

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