Ohio appeals court tosses out ban on gender-affirming care for transgender minors

By **Haley BeMiller**
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Ohio's ban on gender-affirming care for transgender minors is unconstitutional and should be tossed out, an appeals court ruled Tuesday.

The three-judge panel on the Tenth District Court of Appeals overturned a decision by a Franklin County judge that allowed the law to take effect last year. The GOP-controlled Legislature voted in early 2024 to override Gov. Mike DeWine's veto of House Bill 68, but advocates quickly sued on behalf of two transgender girls and their families.

"It is difficult to understand why our legislature believes adults are equipped to make decisions about gender-affirming medical care for themselves but not for their minor children," Judge Carly Edelstein wrote in the decision.

House Bill 68 prevents doctors from prescribing hormones, puberty blockers or gender reassignment surgery before patients turn 18. It also bans transgender girls and women from playing on female school sports teams, although the lawsuit didn't target that piece of it.

The law allows Ohioans younger than 18 who already receive hormones or puberty blockers to continue, as long as doctors determine stopping the prescription would cause harm. It does not ban talk therapy, but mental health providers must get permission from at least one parent or guardian to diagnose and treat gender dysphoria.

The American Civil Liberties Union argued the law violates the right of transgender Ohioans to choose their health care under the Ohio Constitution.

"The state's ban is discriminatory, baseless and a danger to the well-being of the same Ohioan youth lawmakers claim to want to protect," said Harper Seldin, an attorney for the ACLU. "It's also part of a sweeping effort to drive trans people out of public life altogether by controlling our health care, our families and our lives."

Republican Attorney General Dave Yost, who is running for governor in 2026, pledged to appeal the decision.