



# LEGAL UPDATE



## U.S. SUPREME COURT UPHOLDS STATE BAN ON GENDER-AFFIRMING CARE FOR MINORS

On June 18, 2025, the U.S. Supreme Court [upheld](#) the constitutionality of a Tennessee law banning certain medical care, such as puberty blockers and hormone therapy, for transgender minors under the age of 18. As a result of the ruling, the law will remain in effect and may influence the outcomes in other cases involving state laws with similar restrictions on gender-affirming care.

### LEGAL DISPUTE

Tennessee's Senate Bill 1 (SB1), enacted in March 2023, prohibits certain medical treatments (such as surgery, puberty blockers and hormones) that are intended to allow a minor "to identify with, or live as, a purported identity inconsistent with the minor's sex" or to treat "purported discomfort or distress from a discordance between the minor's sex and asserted identity[.]" Plaintiffs brought a pre-enforcement challenge to the law in the U.S. District Court for the Middle District of Tennessee, alleging that it violated the equal protection clause of the 14th Amendment, and the District Court initially [blocked](#) its enforcement.

In September 2023, the 6th Circuit [reversed](#) the District Court's ruling. Among other things, the 6th Circuit held that states have an interest in enforcing the will of their legislatures and that these types of policy decisions are best left to elected officials rather than the courts. As a result, the Tennessee law restricting gender-affirming care for minors (as well as a similar Kentucky law that was consolidated on appeal) was upheld.

### SUPREME COURT RULING

The Supreme Court, in a 6-3 ruling, affirmed the 6th Circuit's decision in *United States v. Skrametti*. Specifically, the Court held that SB1 does not classify individuals based on sex or transgender status, and therefore, the law did not trigger heightened scrutiny. Instead, the Court applied the more deferential "rational basis" standard, which requires only that there are plausible reasons for government action.

The Court found that SB1 "clearly met" this standard of review and did not violate the equal protection guarantee of the 14th Amendment, reasoning that the judiciary must grant states "discretion to pass legislation in areas where there is medical and scientific uncertainty." According to the Court, Tennessee concluded that "there is an ongoing debate among medical experts regarding the risks and benefits associated with administering puberty blockers and hormones to treat gender dysphoria, gender identity disorder, and gender incongruence. SB1's ban on such treatments responds directly to that uncertainty."

Notably, the Court found their 2020 decision in *Bostock v. Clayton County*, which held that discrimination on the basis of sexual orientation constitutes sex discrimination under Title VII of the Civil Rights Act (Title VII), did not alter the analysis and declined to address whether *Bostock's* reasoning reaches beyond the Title VII employment discrimination context.

### HIGHLIGHTS

- + The *Skrametti* ruling means Tennessee's restrictions on gender-affirming care will remain in effect.
- + The ruling may shape how courts and legislatures approach gender-affirming care nationwide.
- + The decision may also pave the way for other states to enforce or enact similar restrictions on gender-affirming care, as it will be harder to challenge the constitutionality of these laws.

