



Transgender Legal Defense & Education Fund

Working for Transgender Equal Rights

## **TLDEF Wins Another Historic Victory for Transgender Deputy Denied Health Care by Georgia Sheriff and County at Eleventh Circuit**

**“Today’s victory is a win not just for me, but for all transgender Southerners who deserve equal access to life-saving transition-related care,”**

**(ATLANTA, May 13, 2024)** - Today, the U.S. Court of Appeals for the Eleventh Circuit issued [a decision upholding the lower court’s ruling](#) that the Houston County, Georgia Sheriff’s Office violated federal anti-discrimination law when it denied coverage for transgender health care to Transgender Legal Defense and Education Fund (TLDEF) client, Anna Lange. Today’s historic victory is immediately binding on employers in Georgia, Florida, and Alabama.

This is the second victory in recent weeks for transgender people trying to access life-saving care. Two weeks ago, the U.S. Court of Appeals for the Fourth Circuit affirmed two lower court rulings ordering North Carolina and West Virginia to end their discriminatory exclusions for coverage of gender-affirming medical care for transgender people in both states. The case challenging North Carolina’s categorical exclusion of coverage for gender-affirming medical care for transgender government employees and their

dependents enrolled in the state health plan—Kadel v. Folwell—was also brought Transgender Legal Defense & Education Fund (TLDEF), along with co-counsel Lambda Legal and HWG LLP and McDermott, Will & Emery LLP.

“Today’s victory is a win not just for me, but for all transgender Southerners who deserve equal access to life-saving transition-related care,” said **plaintiff Anna Lange (she/her)**. “I have proudly served my community for decades and it has been deeply painful to have the county fight tooth and nail, redirecting valuable resources toward denying me basic health care – health care that the courts and a jury of my peers have already agreed I deserve. I’m pleased to see that yet another court has deemed those efforts to be unfair and illegal.”

“Today, the Eleventh Circuit upheld the well-reasoned ruling of the U.S. District Court that treating Sergeant Anna Lange differently because she is transgender is discriminatory,” said **TLDEF Co-Interim Legal Director Gabriel Arkles (he/him)**. “Houston County and Sheriff Talton have once again lost in court, after spending some two million dollars on lawyers to try to deprive Sergeant Lange of medically necessary care that costs orders of magnitude less solely to discriminate against transgender people.”

Sergeant Anna Lange has worked in law enforcement for 26 years, with 17 of those years serving as a Sheriff’s Deputy in Houston County, Georgia. In 2017, Sergeant Lange came out to her employer as a transgender woman and began living openly as her authentic self both at her workplace and community. Sergeant Lange was diagnosed with gender dysphoria by her healthcare provider and was prescribed transition-related care as recommended by the World Professional Association for Transgender Health (WPATH). In her attempts to seek out this care, she learned that Houston County unlawfully excluded transgender health care from coverage under its employee health plan. Sergeant Lange and her attorneys repeatedly attempted to persuade her employer to reconsider its decision, testifying before the Houston County Board of Commissioners and filing charges with the Equal Employment Opportunity Commission.

In [October 2019](#), TLDEF filed a lawsuit on Sergeant Lange’s behalf in the United States District Court for the Middle District of Georgia in Macon. In June 2022, relying on the U.S. Supreme Court’s 2020 ruling in *Bostock v. Clayton County, Georgia*, which held that transgender people are protected from discrimination under Title VII of the Civil Rights Act of 1964, the Georgia federal district court issued a landmark ruling holding that an employer cannot exclude or deny coverage for transition-related medical treatments from its employee health insurance plan. This was the first such ruling in the South. In 2022, Sergeant Lange was awarded financial compensation for the pain and suffering due to the denial of transgender healthcare following a jury trial. Houston County and the Sheriff appealed the decision to the Eleventh Circuit despite having by then incurred legal expenses many times the cost of Sergeant Lange’s surgery. In [March 2023](#), the Civil Rights Division of the Justice Department joined the case, filing a friend-of-the-court brief saying the United States of America agrees that any employer health plan with a trans health exclusion is always illegal under Title VII.

“We are pleased that the Eleventh Circuit Court came to the same conclusion as the lower courts that denying health care coverage to transgender individuals is wrong and illegal, and affirmed the lower court ruling in Sergeant Lange’s favor,” said **Wesley Powell, partner at Willkie Farr & Gallagher LLP**, who serves as co-counsel.

Anna Lange is one of more than 500,000 transgender people who live in the South according to population studies conducted by the Williams Institute at the UCLA School of Law. One quarter of transgender people who live in the United States were denied insurance coverage for gender affirming care, according to the most recent United States Transgender Survey. Additionally, 55% percent of survey respondents were denied coverage for surgical procedures.

In October 2023, TLDEF won a settlement in Rich v Georgia, their lawsuit against the State of Georgia for denying coverage of transgender-related health care in the Georgia State Health Benefit Plan (SHBP), which covers more than half a million Georgians, including employees of state agencies and public school districts, and their family members.

TLDEF Co-Interim Legal Director Gabriel Arkles represents the plaintiff, along with the law firm Willkie Farr & Gallagher LLP in New York City (led by attorneys Wesley Powell, Jill Grant, and Catherine Fata); and the law firm Cooper, Barton & Cooper in Macon, Georgia (attorneys Ken Barton and Devlin Cooper). Former TLDEF attorneys David Brown, Alejandra Caraballo and Noah Lewis also worked on the lawsuit.

The case is Lange v. Houston County.

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