



County of Santa Clara v. HHS

Status: Open

Court: U.S. District Court for the Northern District of California

Issues: [Anti-LGBT Rulings, Laws and Amendments](#), [Health Care Fairness](#), [Religious Exemptions](#), [Transgender Rights](#)

Lambda Legal, Americans United for Separation of Church and State and the Center for Reproductive Rights filed a lawsuit challenging the U.S. Department of Health and Human Services “Denial of Care” Rule.

In the lawsuit, filed in the U.S. District Court for the Northern District of California in coordination with Santa Clara County, the organizations are representing Trust Women Seattle, Hartford GYN, Whitman-Walker Health, Bradbury-Sullivan LGBT Community Center, Los Angeles LGBT Center, Center on Halsted, Mazzoni Center, GLMA, Association of Gay and Lesbian Psychiatrists, Medical Students for Choice and various physicians.

The new regulation invites health care workers – doctors, nurses, EMTs, administrators and clerical staff – to deny medical treatment and services to patients because of personal religious or moral beliefs. Health care facilities that do not comply risk losing federal funding. The regulation will cause mass confusion among health care providers and is completely infeasible to implement. As a result, health care facilities may do away with reproductive and LGBTQ services altogether, leaving millions without access to critical health care.

The lawsuit argues that the rule is unconstitutional because it advances specific religious beliefs in violation of the First Amendment; violates patients’ rights to privacy, liberty and equal dignity as guaranteed by the Fifth Amendment; and chills patients’ speech and expression in violation of the First Amendment, all to the detriment of patients’ health and well-being. The lawsuit also asserts that HHS violated the federal Administrative Procedure Act in creating the rule by arbitrarily and capriciously failing to consider the impact on patients.

History

- **May 24, 2019:** HHS proposes new regulations designed to roll back regulations issued during the Obama Administration that clarified that, pursuant to federal law, the sex discrimination protections of the Affordable Care Act forbid discrimination against lesbian, gay, bisexual and transgender people.
- **May 28, 2019:** Lambda Legal, Americans United for Separation of Church and State and the Center for Reproductive Rights file suit.

Attorneys

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Americans United for Separation of Church and State

Center for Reproductive Rights

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Clients

County of Santa Clara, CA

Trust Women Seattle

Hartford GYN

Whitman-Walker Health

Bradbury-Sullivan LGBT Community Center

Los Angeles LGBT Center

Center on Halsted

Mazzoni Center

GLMA

Association of Gay and Lesbian Psychiatrists

Medical Students for Choice

Complaints

[Complaint for Declaratory and Injunctive Relief \(5/28/2019\)](#)

PRESS RELEASES

[Lambda Legal, Americans United and Center for Reproductive Rights Sue Trump Administration to Block Denial of Care Rule](#)

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