

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN**

CODY FLACK and
SARA ANN MAKENZIE,

Plaintiffs,

v.

WISCONSIN DEPARTMENT OF
HEALTH SERVICES and
LINDA SEEMEYER, in her official capacity
as Secretary of the Wisconsin Department of
Health Services,

Defendants.

Case No. 3:18-cv-00309-wmc
Judge William Conley

DECLARATION OF AMY M. DEGUEME, MD, ECNU

I, Amy M. DeGueme, MD, ECNU, declare as follows:

1. I am a medical doctor with a specialization in endocrinology. I am board certified both in Internal Medicine and in Endocrinology, Diabetes, and Metabolism. I submit this declaration in my capacity as the treating endocrinologist of Cody Flack, a plaintiff in the above-captioned matter.

2. I earned my medical degree from the Medical College of Wisconsin in 2008; completed a residency in Internal Medicine at the Medical College of Wisconsin in 2011; and completed a fellowship in Endocrinology, Diabetes, and Metabolism at the University of Texas Southwestern Medical Center in Dallas, where I served as the chief fellow in 2015.

3. Since September 2015, I have treated patients in private practice in Wisconsin, where my practice focuses on endocrinology; hormone regulation, diagnosis, and treatment; and diabetes.

4. I am Cody Flack's treating endocrinologist at Madison Medical Affiliates in Mequon, Wisconsin. Mr. Flack has been under my care for gender dysphoria since August 2016. Mr. Flack was referred to me by one of his treating physicians, Dr. Erich Metzler.

5. Mr. Flack is a transgender man who has established a longstanding and strong identity as male.

6. In August 2016, I determined that Mr. Flack would benefit from hormonal therapy to treat his gender dysphoria. Accordingly, starting in August 2016, I have prescribed Mr. Flack appropriate hormone replacement therapy for gender dysphoria. Under my care, he is currently receiving weekly injections of testosterone.

7. As a result of the testosterone, Mr. Flack's quality of life has improved. He has developed male secondary sex characteristics, including a deeper voice and some facial and body hair. His mental state has also improved significantly, and he is much less withdrawn than he was before starting the testosterone. He has experienced no side effects or health issues as a result of this treatment. In my professional medical opinion, if Mr. Flack were to stop taking the medications that I am currently prescribing, possible side effects would include increased depression and anxiety, hot flashes, and osteoporosis.

8. In October 2016, Mr. Flack had a total hysterectomy and bilateral oophorectomy to treat symptoms of premenstrual dysmorphic disorder, including severe mood swings during periods. That surgery also treated his gender dysphoria by eliminating the distress Mr. Flack suffered from experiencing female menstruation and its effects.

9. Since 2017, Mr. Flack has been seeking to obtain chest reconstruction surgery (double mastectomy) as a treatment for gender dysphoria. He also subjectively reports difficulty breathing resulting from the chest binding he has to perform to conceal his chest. In my

professional medical opinion, this surgical procedure is a medically necessary treatment for gender dysphoria as it would treat the excessive mental distress that he experiences every day because of his chest. It would also likely reduce the reported respiratory distress associated with binding.

10. In my professional medical opinion, Mr. Flack meets and exceeds the criteria set forth by the World Professional Association for Transgender Health (WPATH), the clinical standards of care for gender dysphoria, for receiving chest reconstruction surgery as part of his treatment for gender dysphoria.

11. On February 21, 2017, I provided Mr. Flack a letter confirming his treatments for gender dysphoria and my professional medical opinion that he meets and exceeds the WPATH standards. A true and correct copy of that letter is attached to this declaration as Exhibit A.

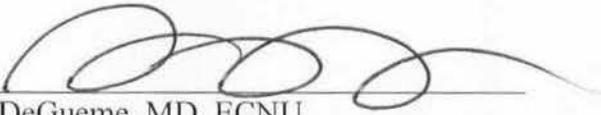
12. On October 16, 2017, I provided Mr. Flack a second letter stating that it is my professional medical opinion that a double mastectomy is a medically necessary treatment for Mr. Flack's gender dysphoria and recommending approval of that surgery because it is medically necessary. A true and correct copy of that letter is attached to this declaration as Exhibit B.

13. In my professional opinion, if Mr. Flack were not able to obtain this medically necessary care, it could lead to increased depression, anxiety, and thoughts of suicide or self-harm, arising from and related to his gender dysphoria. Surgery can diminish those symptoms of dysphoria.

14. In my professional opinion, if Mr. Flack were to obtain the medically necessary chest reconstruction surgeries, his body would be in line with who he knows himself to be and, accordingly, his mental health would likely improve.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed this 14 day of May, 2018.



Amy DeGueme, MD, ECNU

Patient Name: FLACK, CODY
Date of Birth: [REDACTED]

MRN: ATH-01022406
FIN: 5821074

* Auth (Verified) *



MADISON MEDICAL AFFILIATES

2/21/2017

To whom it may concern:

Cody Flack is a 29 year old female to male transgender individual who has established a longstanding and strong identity as male due to gender dysphoria disorder. He has been under my care since 8/2016 and he has been on appropriate hormone replacement since 8/2016. He has had a total hysterectomy and bilateral oophorectomy 10/2016 and plans for a double mastectomy in 2017.

He meets and exceeds the criteria as set forth by the World Professional Association for Transgender Healthcare. If you need any more information or have questions, please do not hesitate to contact me at (262) 243-5000.

Sincerely,

A handwritten signature in black ink, appearing to read 'Amy DeGueme', with a stylized, cursive flourish.

Amy DeGueme, MD, ECNU



Patient Name: FLACK, CODY
Date of Birth: [REDACTED]

MRN: ATH-01022406
FIN: 10373425

* Auth (Verified) *



MADISON MEDICAL AFFILIATES

10/16/17

To whom it may concern:

Cody Flack is under my care for gender dysphoria and female-to-male transgender status. He is requiring a double mastectomy. In my opinion, this surgical procedure is medically necessary for him due to excessive mental distress that he experiences on a daily basis. In addition, the chest binding that he has to perform daily leads to respiratory distress given his cerebral palsy postural issues despite being in the his new wheelchair. Please approve this surgery for Cody as it is medically necessary.

Please contact me with any further questions at (262) 243-5000.

Sincerely,

A handwritten signature in black ink, appearing to read "Amy DeGueme".

Amy DeGueme, MD, ECNU

