

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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ALINA BOYDEN and  
SHANNON ANDREWS,

Plaintiffs,

Case No. 17-cv-264

v.

STATE OF WISCONSIN DEPARTMENT  
OF EMPLOYEE TRUST FUNDS, et al.,

Defendants.

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**DECLARATION OF WREN W. LOGAN**

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I, Wren Willow Logan, do hereby declare:

1. I am a 27-year-old Resident Physician at the University of Wisconsin Hospital and Clinics, where I have been working as a Psychiatrist since July 2017. As an employee of the University of Wisconsin Hospital and Clinics, I am eligible for health insurance coverage through the State of Wisconsin Department of Employee Trust Funds (“ETF”).

2. I am a woman who is transgender, meaning that while I was assigned the male gender at birth, my gender identity is female.

3. My earliest memory of knowing that I am a girl is from pre-school, and I first experienced distress related to my assigned gender when I was in kindergarten.

4. As a result of my fear of rejection by friends and family I suppressed my knowledge of being female during my childhood and adolescence.

5. In college, I found it increasingly difficult to continue hiding my female identity and increasingly isolated myself as a result.

6. As I progressed through medical school at the University of Illinois in Chicago, I reached a point where I was unable to cope with the distress of continuing to identify and live as a man so much so that my suffering became apparent to other students, my supervisors, and other medical staff during my rotations through various medical specialties. I was frequently late to rotations, was not eating, could not sleep, and was unable to keep up with my studies.

7. Out of concern for my well-being, the medical school's administrators conditioned my return to rotations upon my seeking treatment with a therapist. I accepted this condition, but initially delayed discussing my gender issues with the therapist, Dr. Levy, out of a sense of shame and fear.

8. In early 2016, while on my Obstetrics and Gynecology rotation, I attended a lecture given by representatives from my school's Gender and Sexuality Center. It was in this lecture that I finally understood what I had been feeling for so long and that there were gender affirming health care providers who might be able to assist me. Shortly after this lecture, I was finally able to tell Dr. Levy, my therapist, that I am female and talk to her about the agony I had been experiencing by continuing to live as male.

9. Soon thereafter, I was diagnosed with gender dysphoria and prescribed feminizing hormone therapy to treat it, which I have taken continuously since then.

10. In March of 2016, I came out as a transgender woman to a few trusted medical school classmates, and in April of 2016, I came out to my parents. By November 2016, I was living my life as a woman while at work and with family and friends. I also moved forward with changing my identity documents to accurately identify me as female during 2016 and into 2017. In December 2016, I interviewed at the University of Wisconsin for a position in the Psychiatry Residency program.

11. Prior to the end of February 2017, I submitted my final rankings of the psychiatry residency programs that had offered me interviews to the National Resident Matching Program, an algorithm that attempts to fill all residency vacancies nationally by considering the top ranked choices of applicants and employers.

12. In early March 2017, I became aware of the Wisconsin exclusions on coverage of transition related healthcare for state employees, including hormone therapy and gender confirmation surgery (“GCS”). Later that month, I was disappointed to learn that the National Resident Matching Program had placed me at the University of Wisconsin for my psychiatry residency. I then began to contact people working at the University of Wisconsin Hospitals and Clinics to find out whether there were any other insurance plans available to residents that would cover the medical treatment I needed, but soon learned that all available plans included the exclusion on coverage for transition-related care.

13. I knew that I needed surgery to treat my gender dysphoria, so I consulted with my therapist, Dr. Levy, and a psychiatrist at the University of Illinois

in Chicago, Dr. Dorothy-Clare Tessman, about that need during the spring and summer of 2017. Both Dr. Levy and Dr. Tessman agreed that surgery was medically necessary treatment for me and wrote letters to support my going forward with GCS.

14. On June 5, 2017, I underwent GCS (a bilateral orchiectomy) in Illinois while I was still receiving insurance coverage through the University of Illinois in Chicago, College of Medicine.

15. However, I continued to experience distress from gender dysphoria after that initial surgical procedure, so in the fall of 2017 I consulted with Dr. Jane Wood at the Psychology Clinic, Inc. in Madison, Wisconsin regarding the distress I was experiencing and my need for additional GCS. Dr. Wood supported my need for GCS.

16. On November 6, 2017, I saw Dr. Katherine Gast, M.D., a surgeon at the University of Wisconsin, regarding my need for additional GCS who agreed to schedule that surgery (facial feminization surgery and mammoplasty) when I let her know I was ready.

17. On March 30, 2018, I asked Dr. Katherine Gast's office to submit a request to Quartz Health Solutions for prior authorization to cover the gender affirming procedures we'd discussed at my consultation. Her office let me know that Dr. Gast had made the request to Quartz.

18. I contacted someone in the UW Health Human Resources division on April 3, 2018 to ask how employee insurance benefits were determined. An HR Service Center Representative told me that ETF and the Group Insurance Board ("GIB") determined my health insurance benefits.

19. On April 10, 2018, I contacted Patient Customer Service for Quartz Health Solutions through my online health insurance portal to let them know that I needed to have GCS and to figure out what portion of the cost of the surgery would be covered by my plan.

20. The following day, April 11, 2018, a Quartz representative wrote to me through my online health insurance portal to tell me that GCS was excluded from the health plan for participants of the State of Wisconsin Group Health Insurance Program and the Wisconsin Public Employers Group Health Insurance Program. The representative then directed me to the URL for the certificate of coverage, and also directed me to the Exclusions and Limitations section on page 44 of the certificate.

21. Also on April 11, 2018, a woman named Kristi from UW Health's HR Service Center responded to an online inquiry I made regarding transition-related care for transgender individuals. She wrote that all healthcare plans offered to state employees exclude "Procedures, services, and supplies related to surgery and sex hormones associated with gender reassignment."

22. A week later, on April 18, 2018, I received a denial from Quartz of the request for coverage for the gender affirming procedures Dr. Gast's office had submitted on my behalf. The reason Quartz gave for this denial was the exclusion on coverage of transition-related healthcare found in the Uniform Benefits provided to state employees.

23. I filed a formal complaint of discrimination with the University of Wisconsin Human Resources division on April 22, 2018. As yet, I have received no response to this complaint.

24. The next day, April 23, 2018, I complained to Quartz Insurance through its online portal that the exclusion on procedures, services, and supplies related to surgery and sex hormones associated with gender reassignment violated federal civil rights law prohibiting discrimination on the basis of sex. The same day, Quartz notified me that Quartz does not set the benefits and could not offer me any relief.

25. On April 23, 2018, I filed an official complaint against the University of Wisconsin Hospitals and Clinics Authority with the Office of Federal Contract Compliance Programs (“OFCCP”). Shortly thereafter, the OFCCP notified me that my formal complaint against the University of Wisconsin Hospitals and Clinics Authority would be forwarded to the Equal Employment Opportunity Commission (“EEOC”).

26. On May 21, 2018, I submitted a charge of discrimination to the EEOC, amending the complaint forwarded by the OFCCP to the EEOC. The amended complaint asserted sex discrimination under Title VII of the Civil Rights Act of 1964 against ETF, GIB, and the University of Wisconsin Hospitals and Clinics.

27. In addition to the distress and depression I experience because my body fails to conform to my female identity, my need for surgery has also caused me to experience acute moments of panic and thoughts of suicide.

28. In accordance with 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 6<sup>th</sup> day of June 2018.

  
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Wren Willow Logan