

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION

JANE DOE, individually and on
behalf of her minor daughter,
SUSAN DOE, et al.,

Plaintiffs,

v.

Case No. 4:23-cv-00114-RH-MAF

JOSEPH A. LADAPO, in his
official capacity as Florida's
Surgeon General of the Florida
Department of Health, et al.,

Defendants.

**CORRECTED, CONSOLIDATED ANSWER BY ALL DEFENDANTS TO
PLAINTIFFS' SECOND AMENDED COMPLAINT¹**

Surgeon General Ladapo, the Florida Board of Medicine, and the Florida Board of Osteopathic Medicine (the "State Medical Defendants"), and State Attorney Gladson respond to Plaintiffs' second amended complaint. Any allegation not specifically admitted is denied.

Preliminary Statement

1. Denied that the agency rules and legislation are "bans"; otherwise, admitted.

¹ This Corrected, Consolidated Answer adds State Attorney Gladson to the prefatory paragraph that follows the title.

2. Denied.

3. Denied.

4. Denied.

5. Admitted that Plaintiffs seek declaratory and injunctive relief; denied that Plaintiffs are entitled to that relief, and denied that Plaintiffs will suffer injury without such relief.

Parties

I.

6. Without knowledge; therefore, denied.

7. Without knowledge; therefore, denied.

8. Without knowledge; therefore, denied.

9. Without knowledge; therefore, denied.

10. Without knowledge; therefore, denied.

11. Without knowledge; therefore, denied.

12. Without knowledge; therefore, denied.

II.

13. Denied that the agency rules are “bans”; otherwise, admitted.

14. Admitted.

15. Admitted.

16. Admitted.

17. Admitted.

18. Admitted.

19. Admitted.

20. Admitted.

21. Admitted.

22. Admitted.

23. Admitted.

24. Admitted.

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27. Admitted.

28. Admitted.

29. Admitted.

30. Admitted.

31. Admitted.

32. Admitted.

33. Admitted.

34. Admitted.

35. Admitted.

36. Denied that board members can individually promulgate rules and individually take disciplinary actions. *See* Fla. Stat. § 456.011; Fla. Stat. § 456.073. Otherwise, admitted.

37. Denied that board members can individually promulgate rules and individually take disciplinary actions. *See* Fla. Stat. § 456.011; Fla. Stat. § 456.073.

Otherwise, admitted.

38. Admitted.

39. Admitted.

40. Admitted.

41. Admitted.

42. Admitted.

43. Admitted.

44. Admitted.

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51. Admitted.

52. Admitted.

53. Admitted.

54. Admitted.

55. Admitted.

56. Admitted.

57. Admitted.

58. Admitted.

Jurisdiction and Venue

59. Admitted to the extent that paragraph 59 states the relief Plaintiffs seek; denied that Plaintiffs are entitled to the relief; denied that federal law has been violated; denied that the agency rules and legislation are “transgender medical bans.”

60. Admitted.

61. Denied that Plaintiffs’ federal rights have been violated; otherwise, admitted.

62. Admitted.

63. Admitted that venue is proper; otherwise, denied.

64. Admitted.

65. Admitted.

Factual Allegations

I.

66. Denied.

67. Admitted to the extent that gender dysphoria is a medical diagnosis that arises from an incongruence between an individual’s sex and gender identity; admitted that the incongruence can cause clinical distress; admitted that the DSM-5 contains diagnosing criteria for gender dysphoria; otherwise, denied.

68. Without knowledge; therefore, denied.

69. Denied.

70. Admitted that certain organizations promulgated, and that certain individuals in medical organizations approved, recommendations on the treatments for gender dysphoria; otherwise, denied.

71. Admitted that WPATH promulgated recommendations on the treatments for gender dysphoria; otherwise, denied.

72. Admitted that the Endocrine Society promulgated recommendations on the treatments for gender dysphoria; otherwise, denied.

73. Admitted to the extent that certain individuals who are in the referenced medical organizations approve of WPATH's and the Endocrine Society's recommendations on treatments for gender dysphoria; otherwise, denied.

74. Admitted that there are treatments for gender dysphoria and that the treatments have several components; otherwise, denied.

75. Denied.

76. Admitted that certain medical professionals support social transition, as described in paragraph 76; otherwise, denied.

77. Admitted that certain medical professionals support the treatments for gender dysphoria described in paragraph 76; otherwise, denied.

78. Admitted.

79. Admitted to the extent that certain medical professionals and WPATH support puberty-blocking treatments for gender dysphoria, as described in paragraph 79; otherwise, denied.

80. Admitted that certain medical professionals support cross-sex-hormone treatments for gender dysphoria; otherwise, denied.

81. Denied.

II.

82. Admitted to the extent that Surgeon General Ladapo sent a letter to the State medical boards in June 2022 regarding standards of care for treatments for gender dysphoria; otherwise, denied.

83. Denied that the rules are “categorical ban[s] on all treatment of gender dysphoria”; otherwise, admitted.

84. Admitted.

85. Admitted.

86. Admitted.

87. Admitted.

88. Admitted.

89. Admitted.

90. Denied that the rules are “transgender medical bans”; otherwise, admitted.

91. Admitted.

92. Admitted.

93. Denied that the rules are “bans”; otherwise, admitted.

94. Denied that the rules are “bans”; denied that the use of hormones or puberty blockers for purposes of treating gender dysphoria is medically necessary for minors; otherwise, admitted.

95. Denied.

96. Denied.

III.

97. Admitted.

98. Admitted.

99. Admitted.

100. Admitted.

101. Admitted.

102. Admitted.

103. Admitted.

104. Admitted.

105. Admitted.

106. Admitted.

IV.

107. Without knowledge; therefore, denied.

108. Without knowledge; therefore, denied.

109. Without knowledge; therefore, denied.

110. Without knowledge; therefore, denied.

111. Without knowledge; therefore, denied.

112. Without knowledge; therefore, denied.

113. Without knowledge; therefore, denied.

114. Without knowledge; therefore, denied.

115. Without knowledge; therefore, denied.

116. Without knowledge; therefore, denied.

117. Without knowledge; therefore, denied.

118. Without knowledge; therefore, denied.

119. Without knowledge; therefore, denied.

120. Without knowledge; therefore, denied.

121. Without knowledge; therefore, denied.

122. Without knowledge; therefore, denied.

123. Without knowledge; therefore, denied.

124. Without knowledge; therefore, denied.

125. Without knowledge; therefore, denied.

126. Without knowledge; therefore, denied.

127. Without knowledge; therefore, denied.

128. Without knowledge; therefore, denied.

129. Without knowledge; therefore, denied.

130. Without knowledge; therefore, denied.

- 131. Without knowledge; therefore, denied.
- 132. Without knowledge; therefore, denied.
- 133. Without knowledge; therefore, denied.
- 134. Without knowledge; therefore, denied.
- 135. Without knowledge; therefore, denied.
- 136. Without knowledge; therefore, denied.
- 137. Without knowledge; therefore, denied.
- 138. Without knowledge; therefore, denied.
- 139. Without knowledge; therefore, denied.
- 140. Without knowledge; therefore, denied.
- 141. Without knowledge; therefore, denied.
- 142. Without knowledge; therefore, denied.
- 143. Without knowledge; therefore, denied.
- 144. Without knowledge; therefore, denied.
- 145. Without knowledge; therefore, denied.
- 146. Without knowledge; therefore, denied.
- 147. Without knowledge; therefore, denied.

Claims for Relief

Count I

148. The State Medical Defendants incorporate paragraphs 1-147 in this answer.

149. Admitted that Plaintiffs bring Count I against all Defendants; denied that relief under Count I is warranted.

150. Admitted that the Fourteenth Amendment protects certain rights; admitted that the quotation in paragraph 150 comes from *Troxel v. Granville*, 530 U.S. 57, 66 (2000) (plurality); otherwise, denied.

151. Denied.

152. Denied.

153. Denied.

Count II

154. The State Medical Defendants incorporate paragraphs 1-147 in this answer.

155. Admitted that Plaintiffs bring Count I against all Defendants; denied that relief under Count II is warranted.

156. Admitted.

157. Denied.

158. Denied.

159. Denied.

160. Denied.

161. Denied.

162. Denied.

163. Denied.

Relief Requested by Plaintiffs

Wherefore,

- (1) Denied that such relief is warranted.
- (2) Denied that such relief is warranted.
- (3) Denied that such relief is warranted.
- (4) Denied that such relief is warranted.
- (5) Denied that such relief is warranted.

Dated: June 23, 2023

Respectfully submitted by:

Ashley Moody

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CERTIFICATE OF SERVICE

I certify that, on June 23, 2023, this answer was filed through the Court's
CM/ECF system, which will send a notice of electronic filing to all counsel of record.

/s/ Mohammad O. Jazil
Mohammad O. Jazil