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NEWS FOR IMMEDIATE RELEASE

August 17, 2026

Wisconsin Department of Justice Secures Court Victory Protecting Gender-Affirming Care Under the Affordable Care Act

MADISON, Wis. — As part of a multistate coalition, the Wisconsin Department of Justice (DOJ) secured a victory after the U.S. District Court for the District of Massachusetts [struck down a key provision of a Trump administration final rule](#) that would have excluded coverage of certain types of gender-affirming care as essential health benefits under the Affordable Care Act (ACA). Essential health benefits are subject to the ACA's financial protections, including limits on out-of-pocket costs.

“The federal government should be making decisions about what health care is covered based on medical expertise,” said AG Kaul. “It shouldn’t be denying access to health care based on the ideology of the party in power.”

The final rule at issue — the “Marketplace Integrity and Affordability” rule — was proposed by the Trump administration in March 2025. Among other changes, the rule would have removed certain types of gender-affirming care from the ACA’s 10 essential health benefit categories.

In July 2025, the coalition [filed a lawsuit](#) challenging nine separate provisions of the final rule, arguing that they would make it harder for consumers to get coverage through the ACA, increase costs for states, and weaken key ACA protections. Seven were later vacated in separate litigation, *City of Columbus et al. v. Kennedy et al.*, in the U.S. District Court for the District of Maryland. Last week, the U.S. District Court for the District of Massachusetts ruled that the Trump administration unlawfully modified the categories of essential health benefits without following the proper procedures the ACA requires.