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**Steve Marshall**  
Alabama Attorney General



For **press** inquiries only, contact:

Amanda Priest (334) 322-5694

William Califf (334) 604-3230

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## **Attorney General Marshall Leads 23-State Coalition Challenging Decision Interpreting Title VII to Require Employers Cover Employees' Sex-Change Operations**

(Montgomery, Ala) – Alabama Attorney General Steve Marshall led a 23-state amicus brief seeking to overturn a decision by a panel of the Eleventh Circuit Court of Appeals that would require employers offering healthcare coverage to their employees to pay for an employee's sex-change operation or face liability under Title VII of the Civil Rights Act of 1964. Marshall urged the entire Eleventh Circuit to rehear the case and correct the panel's decision. Marshall led the brief along with the attorneys general of Florida and Georgia, the other two states in the Eleventh Circuit whose employers would be covered by the panel's decision.

In the [case under review](#), an employee sought a sex-change operation to transition from male to female. When told that the employer's insurance provider would not cover the operation, the employee sued under Title VII, which prohibits discrimination in the workplace on the basis of race, color, religion, sex, or national origin. A divided panel of the Eleventh Circuit found that the employer could be held liable for violating Title VII by not paying for the operation.

"This case calls out for correction by the full Eleventh Circuit," said Attorney General Marshall. "It is hard to overstate how radical the panel's decision is. With its interpretation of a federal statute meant to require equal treatment in the workplace, the court fundamentally transformed Title VII to require favored treatment for employees who identify as transgender by mandating coverage for any number of treatments or operations such an employee could want. The court's rewrite of Title VII will produce wide-ranging consequences for employers, who now face both greater liability and diminished clarity over how far the law extends. The Court must correct this decision."

Alabama, Florida, and Georgia were joined on the brief by Alaska, Arkansas, Idaho, Indiana, Iowa, Kansas, Louisiana, Mississippi, Montana, Missouri, Nebraska, North Dakota, Ohio, South Carolina, South Dakota, Texas, Tennessee, Utah, Virginia, and West Virginia.

To read the full brief, click [here](#).

