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## Mariah L. v. Administration for Children's Services (Challenge to ACS's refusal to pay for charge's sex reassignment surgery)

Appellate Division, First Department, Index No. K1154-96 (amicus)

The issues in this case are whether sex reassignment surgery is an effective treatment for gender identity disorder, whether the surgery can be used to treat children and whether gender identity disorder is a serious medical condition for which sex reassignment surgery is medically necessary.

Mariah L, a transgender youth, has been in the custody of New York City's Administration for Children's Services (ACS) since she was 10 years old. When she turned eighteen, ACS decided to send her to medical professionals to determine a proper treatment for her gender identity disorder. Despite the fact that doctors immediately recommended sex reassignment surgery, ACS refused to pay for the surgery on the grounds that it was experimental, not necessary, treatment, for which Mariah did not qualify.

On Feb. 21, 2007, a New York Family Court ruled on remand that ACS' refusal to pay for Mariah's SRS was irrational and unreasonable and that SRS was medically necessary for Mariah. When ACS appealed the decision, the ACLU LGBT Project and the NYCLU, along with numerous gay rights organizations, filed an amicus curiae brief on behalf of Mariah in the Appellate Division, First Department. In May 2008, the First Department reversed the lower court's ruling. The Court of Appeals declined to review the ruling, ending the case.

Lawyers on the case include the ACLU LGBT Project .

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