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**County of Santa Clara, Cities, and Businesses Across the Nation Urge the  
Federal Circuit to Support Transgender Veterans' Access to Medical Care**  
*Brief Highlights the County's Experience Offering  
Transgender-Inclusive Medical Benefits*

**SANTA CLARA COUNTY, CALIF.**—On June 28, 2017, the County of Santa Clara, along with cities and businesses across the nation, submitted an *amicus curiae* or “friend of the court” brief with the U.S. Court of Appeals for the Federal Circuit, asking the Court to compel the U.S. Department of Veterans Affairs to repeal its blanket ban on surgical care for transgender veterans, which denies those who have bravely served our country medically necessary care simply because they are transgender.

The brief, authored by the Santa Clara County Counsel’s Office and the law firms Keker, Van Nest & Peters LLP and Steptoe & Johnson LLP, and joined by a diverse group of cities and businesses, was filed in *Fulcher v. Secretary of Veterans Affairs*. The brief supports the arguments of a petition on behalf of two transgender veterans and the Transgender Americans Veterans Association seeking to repeal the VA’s regulation excluding surgery for “gender alterations” from the suite of medical benefits offered to veterans. Before the November 2016 election, the VA had announced that it was reconsidering the discriminatory regulation, but after the election it abruptly reversed course.

“Transgender people all too often face discrimination and barriers to medical care,” said County of Santa Clara Supervisor Ken Yeager. “Transgender-inclusive medical benefits, including gender confirmation surgery, can be vital for transgender people.”

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The brief argues that the VA's policy is out of step with the inclusive health care policies of a wide range of public and private entities and denies what can be life-saving care for veterans. Through interviews with County of Santa Clara employees, the brief highlights the County's experiences in providing transgender-inclusive benefits to its employees, and residents who are members of or have Medi-Cal benefits managed by the County's Valley Health Plan. The brief also demonstrates that providing transgender-inclusive medical benefits, including gender-confirmation surgery, imposes negligible, if any, costs.

"Providing transgender-inclusive medical benefits has tremendous value to the County, our employees and their families, and to our larger community," said Santa Clara County Board of Supervisors President Dave Cortese. "There's simply no downside."

"The County's experiences and a wealth of empirical research make clear that there can be no legitimate purpose to the VA's ban on gender-confirmation surgery for veterans," said Santa Clara County Counsel James R. Williams. "Santa Clara County is proud to stand with veterans in urging the court to reverse this discriminatory policy, which serves only to stigmatize a group of people who already face severe discrimination."

The entities that joined the County of Santa Clara in submitting the brief include: American Airlines, Inc.; City of Austin, Texas; CREDO Mobile, Inc.; City of Cambridge, Massachusetts; City of Dayton, Ohio; City of Detroit, Michigan; City of Gainesville, Florida; Greater Seattle Business Association; City of Long Beach, California; MassMutual; City of Miami Beach, Florida; City of New York, New York; City of Portland, Maine; City of Portland, Oregon; Replacements, Ltd.; City of Rochester, New York; City of Rockville, Maryland; City and County of San Francisco, California; City of Seattle, Washington; City of Stamford, Connecticut; Viacom Inc.; City of West Hollywood, California; and City of Yonkers, New York.

Copies of the brief are available on request.

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