

**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.

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

Defendants.

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

**DECLARATION OF LUCIEN HAMEL IN SUPPORT OF
PLAINTIFFS’ MOTION FOR PRELIMINARY INJUNCTION**

I, Lucien Hamel, hereby declare and state as follows:

1. I am over the age of 18, of sound mind, and in all respects competent to testify. I have personal knowledge of the information contained in this Declaration and would testify completely to those facts if called to do so.

2. I am 27 years old, and I am a plaintiff in this Action.

3. I am a Florida resident. I live in Indian River County with my wife and my child. I am a manager at a CVS store and I work full time to provide for my son.

4. I am a man and I am also transgender. Although I was incorrectly assigned the sex female at birth, my gender identity is male. I experience and have

been diagnosed with gender dysphoria due to the significant distress caused by the disconnect between my sex assigned at birth, along with some of my primary and secondary sex characteristics, and my gender identity.

5. I have known that I was male since I was six years old. I did not have the words to describe my experience for many years, and once I did, it didn't feel safe to explore that aspect of my identity given the hostility towards transgender people in our country. Though I always wore male clothing, four years ago I finally began receiving transition-related medical care.

6. I initiated my transition with a pediatric endocrinologist, who I was referred to by my psychiatrist at the time. My psychiatrist diagnosed me with gender dysphoria, and wrote a letter regarding my readiness to initiate testosterone hormone treatment. I met with the pediatric endocrinologist three or four times before being prescribed any medication. He was very thorough and careful, and eventually started me on a very low dose of testosterone, and we did a lot of monitoring and follow up and labs, adjusting the dose slowly to ensure I was doing well.

7. Because I was an adult, the pediatric endocrinologist had to refer me to an adult provider to continue my transition-related care, as his practice would not allow him to continue treating adult patients. I was referred to a nurse practitioner who is licensed as an Autonomous Practice Nurse Practitioner at Spektrum Health who has substantial expertise and experience in the treatment of gender dysphoria. I

have received both my primary care and my gender-affirming care from Spektrum Health since that time.

8. I have had a tremendously positive experience with hormone therapy. Being able to obtain testosterone injections has allowed me to bring my body into alignment with who I know myself to be. Last year, I had top surgery. Receiving medically necessary testosterone therapy and top surgery has provided me desperately needed relief and comfort in my own skin.

9. Because of SB 254, I am currently unable to get the hormone therapy that I need. I took my last testosterone shot on June 28th, and I have been without medication since that time. I have asked my NP at Spektrum Health if he could send in a refill and he said he cannot do so without breaking the law. I asked my former pediatric endocrinologist if he could prescribe my testosterone, and he said that he cannot, as his practice will not permit him to treat adults. I have sought out other M.D.s and D.O.'s in the state, but I have not been able to get an appointment to see any to continue my medically necessary treatment.

10. I have reached out to out of state providers, but receiving care from them would require me to travel out of state, and I cannot afford to do so. I am the parent of a seven-year-old child and I work full time. It was already a hardship to travel to Melbourne every few months to Spektrum Health for the required

monitoring and lab work associated with my hormone treatment. Traveling out of state is not an option for me.

11. I would love to move out of the hostile state of Florida to a state where I could receive the medical care that I need. I cannot do this, however, because it would uproot and disrupt my son's entire life – his other parent lives in Florida, as do his grandparents and his friends, and he loves his school here. Further, it would require my son's other parent to either move to the new state with us, or I would have to give up my custody rights over my child, which I could never do. Ultimately, neither myself nor my son's other parent have the means or resources to move to a new state. Thus, we are stuck in a state where I cannot obtain essential medical care.

12. Being forced to go without testosterone has had, and will continue to have, devastating consequences for me physically, emotionally, and psychologically. Because of being unable to obtain care, I experience debilitating fear, anxiety, self-loathing, and despair.

13. SB 254 prevents me from getting care that I need. Even if I can get an appointment with an M.D. or a D.O. in Florida – which I have not yet been able to do – I will be unable to continue seeing the medical provider at Spektrum Health whom I trust and with whom I have developed a good relationship.

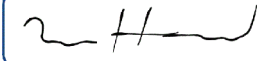
14. The barriers to accessing care that were created by SB 254, and the Boards' Emergency Rules and Informed Consent forms stemming from SB 254,

have created an all-out bar to accessing care for myself and for so many others. My chosen, trusted medical provider cannot prescribe my testosterone without being criminalized, there is not an M.D. or D.O. who can prescribe my testosterone, and I cannot afford to travel out of state to obtain my testosterone. Thus, I am trapped in a state that is denying me access to critical medical care that I need to live and thrive.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 24th day of July, 2023.

Respectfully Submitted,

DocuSigned by:

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Lucien Hamel