

STATE OF MICHIGAN  
DEPARTMENT OF ATTORNEY GENERAL



P.O. Box 30212  
LANSING, MICHIGAN 48909

**DANA NESSEL**  
ATTORNEY GENERAL

August 26, 2025

Dear Michigan Healthcare Providers and Patients,

You have no doubt heard about the federal government's executive order limiting access to healthcare and efforts to withhold funds from federal grant recipients, including healthcare facilities and healthcare providers who must provide services without discrimination. In response to multiple lawsuits challenging the federal funding freeze, the federal government rescinded the directive but publicly acknowledged that the rescission was meaningless and that the spirit and intent of the directive would be implemented. Not surprisingly, and perhaps intentionally, chaos and uncertainty ensued, leaving Michigan residents concerned about access to healthcare services and Michigan healthcare facilities and providers questioning their legal obligations and exposure.

I write to remind you that the availability of federal funding has no bearing on Michiganders' right to seek and receive healthcare services without discrimination. Moreover, access to federal funds does not relieve Michigan healthcare facilities and providers of the obligation to comply with Michigan laws, including those that prohibit discrimination against individuals based on their membership in a protected class, such as disability, religion, race, color, national origin, age, sex, sexual orientation, gender identity or expression, or marital status. See, e.g., MCL § § 37.1102, 2102, 2202, 2302. Refusing healthcare services to a class of individuals based on their protected status, such as withholding the availability of services from transgender individuals based on their gender identity or their diagnosis of gender dysphoria, while offering such services to cisgender individuals, may constitute discrimination under Michigan law. I strongly encourage individuals seeking healthcare services, as well as healthcare facilities and providers, to consult with legal counsel to understand their rights and obligations under Michigan law and the impacts of federal litigation challenging the federal government's efforts to block funding and limit healthcare access.

As Attorney General, I have acted swiftly to protect Michigan residents from the federal government's illegal attempts to halt federal funding and harmful policy changes and have joined in 32 cases on behalf of the state or her people. In each case, I evaluated three prongs: is the action in and of itself illegal, does it harm Michigan residents, and does the state have standing to challenge the action.

To that end, on August 1, I joined a suit challenging the Trump administration's efforts to restrict access to gender affirming care for people under 19 years old based on irrelevant criminal statutes. These efforts, including threats of criminal prosecution and federal investigations of healthcare providers, are illegal and dangerous. This case is currently pending before the court. Until the Court reaches a decision, providers should bear in mind that efforts to withhold or deny healthcare services because an individual is transgender would be discriminatory and risks inflicting irreversible harm on that individual.

My office remains committed to protecting Michiganders' access to healthcare services free of discrimination and to ensuring Michigan healthcare facilities and providers maintain full access to funds promised by the federal government.

Sincerely,

A handwritten signature in blue ink that reads "Dana Nessel". The signature is fluid and cursive, with the first name "Dana" and last name "Nessel" clearly distinguishable.

**Dana Nessel**  
Michigan Attorney General