

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN**

CODY FLACK,
SARA ANN MAKENZIE,
MARIE KELLY, and
COURTNEY SHERWIN,

Plaintiffs,

v.

WISCONSIN DEPARTMENT OF
HEALTH SERVICES and
LINDA SEEMEYER, in her official capacity
as Secretary of the Wisconsin Department of
Health Services,

Defendants.

Case No. 3:18-cv-00309-wmc

Judge William Conley

SUPPLEMENTAL DECLARATION OF CODY FLACK

I, Cody Flack, declare as follows:

1. I am a plaintiff in the above-captioned case. I have personal knowledge of the matters stated in this declaration.

2. This is intended to supplement the Declaration of Cody Flack that was filed in this case on May 23, 2018 [Dkt. No. 22].

3. Following the Court's decision on July 25, 2018, I did receive written approval of a prior authorization for double mastectomy and chest reconstruction from Wisconsin Medicaid. Dr. Clifford King performed the surgery on September 25, 2018. There was some discomfort, but the healing process is going well and I feel much better.

4. Immediately after the surgeries, I felt a sense of relief that my outward appearance would now match my male gender and I would no longer be misgendered because of my chest. I am looking forward to some public events that I have avoided, and I especially look forward to

next summer when I can go out in public without extra clothing to hide my chest. I feel like a different person. I feel more upbeat and hopeful about my life in general.

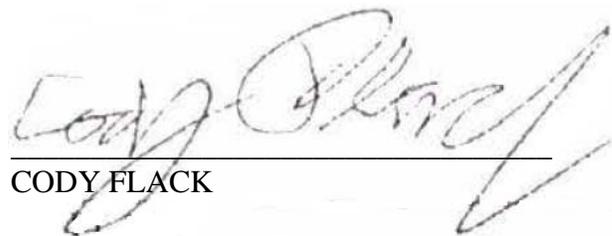
5. I still need hormone replacement therapy. While my hormone treatments are currently covered by Wisconsin Medicaid, because of Wisconsin Medicaid's exclusions on transition-related care, I don't know if they will continue to be covered for as long as I need them without a permanent injunction in this case.

6. I have spoken to my doctors about having phalloplasty surgery as a gender dysphoria treatment in furtherance of my gender transition, and I am considering that option. I plan to enjoy life and my new appearance for a while before making that decision. I understand that the preliminary injunction was the reason I was able to have the surgery, and I am concerned about whether Medicaid will pay for additional gender-confirming surgeries I may need in the future if the Wisconsin Medicaid exclusion is not permanently enjoined.

7. I did not bring this case just for myself. I also want to help other transgender people. The preliminary injunction helped me, but it did not help other Medicaid recipients who also need gender-confirming surgeries and medical treatments. My name is associated with this case and so I feel a responsibility to do more both for myself and others like me. I will continue to advocate for Wisconsin Medicaid coverage of transgender medical care through my participation in this case.

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

Executed this 16th day of October, 2018.



CODY FLACK