

**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

**DECLARATION OF TORI VANCIL**

I, Tori Vancil, declare as follows:

1. I have personal knowledge of the matters stated in this declaration.
2. I was born in Madison, Wisconsin and grew up in Verona, Wisconsin. I currently live in Madison, Wisconsin.
3. I am a 27-year-old transgender man. I was assigned female at birth, but I am male. I have lived fully as a man for approximately the last year and a half.
4. I have been on Wisconsin Medicaid since January 1, 2018. I rely on Wisconsin Medicaid for my health care needs.
5. I have been diagnosed with gender dysphoria.
6. I knew myself to be male since high school, though I did not identify as transgender until approximately a year and a half ago. It took me time to find the support and

love I needed to be honest with myself, and to be in a community that would support my transition.

7. When I was finally honest with myself, and my friends and family, about being transgender, I felt a huge relief. All of a sudden, I didn't have to pretend anymore, and a huge weight – which had been burdening me for over a decade – was lifted from my shoulders.

8. I started hormone therapy in April 2018 under the care of my primary care physician, Kathy Oriel, MD. The hormones have helped me develop secondary male characteristics and have helped reduce my gender dysphoria. My body is finally starting to match how I feel inside. I have developed more muscles in my arms, my chest has gotten smaller, and I have developed some facial hair. The hormone therapy has actually made me feel like I am finally going through puberty – I am finally growing into a man.

9. With the hormone therapy, every day I feel more and more like myself. Now, when I'm out in public, people call me sir or gentlemen. It feels wonderful.

10. While the hormones have helped me feel like the man that I am, I still feel significant gender dysphoria related to my chest. While I am not an anxious person, I have daily anxiety around my chest. Sometimes, I am not able to be present in social situations or at work, because I am so focused on my female-appearing chest.

11. One incident this past summer illustrates the anxiety, distress, and dysphoria I have related to my chest. On a very hot day, I was doing construction work on the roof of a building and my three male co-workers all took off their shirts. Because I am ashamed and embarrassed about my chest, I couldn't take off my shirt. I was completely distraught. I couldn't even turn around to look at my co-workers because it made me so upset. When I got home that day, I could not stop myself from crying.

12. To try and minimize the anxiety I feel, I use athletic tape to flatten my chest. However, taping my chest is uncomfortable, time consuming, and it can get expensive. One day, I went through \$15 worth of tape and I still could not get the tape to stay the way I wanted. I melted down that day. I simply want to feel comfortable in my body and it shouldn't have to be so hard.

13. To minimize my daily distress around my chest and treat my gender dysphoria related to my chest, I would like to undergo top surgery (mastectomy and male chest reconstruction) as soon as possible. Dr. Oriel, my physician, has recommended that I obtain this surgery to treat my gender dysphoria.

14. Without coverage from Wisconsin Medicaid, I do not have the means to pay for the surgery I need. If I am denied the ability to obtain this necessary care, I would be completely devastated and I am sure my gender dysphoria would worsen. Top surgery is the only thing that can eliminate the exhausting pressure I feel every day figuring out how to hide my chest, and the anxiety that someone may notice.

15. If I were able to get top surgery, it would change my life. I would not only feel at peace with my body, but the surgery would also allow me to focus all my time and energy on my family, my friends, and my home – instead of wasting energy worrying about my chest. Simply put, top surgery would improve every single aspect of my life.

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.

A handwritten signature in black ink, appearing to read 'Tori Vancil', written over a horizontal line.

Tori Vancil