

118832-422
CAUSE NO. _____

THE STATE OF TEXAS,
Plaintiff,

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IN THE DISTRICT COURT OF

Kaufman County - 422nd District Court

v.

KAUFMAN COUNTY, TEXAS

DR. HECTOR M. GRANADOS, M.D.,
Defendant.

_____ JUDICIAL DISTRICT

**PLAINTIFF’S VERIFIED ORIGINAL PETITION AND
REQUEST FOR TEMPORARY AND PERMANENT INJUNCTIONS**

Defendant, HECTOR M. GRANADOS, M.D., is a scofflaw who is harming the health and safety of Texas children by providing puberty blockers and cross-sex hormones to children for the purpose of transitioning their biological sex or affirming their belief that their gender identity or sex is inconsistent with their biological sex in violation of Tex. Health & Safety Code § 161.702(3), and falsifying medical records, prescriptions, and billing records to intentionally conceal the unlawful conduct in violation of Tex. Bus. & Com. Code §§ 17.46(a), (b)(5).¹

Puberty blockers and cross-sex hormones, when used for the purpose of transitioning a child’s biological sex or affirming their belief that their gender identity or sex is inconsistent with their biological sex, interfere with a child’s normal physical development and result in long-term harm to the child, including *inter alia*, sterilization, loss of bone density, and the development of irreversible secondary opposite sex characteristics. Children, by definition, lack the cognitive maturity to provide informed consent/assent to these harmful and irreversible, life-altering decisions. Therefore, the Texas legislature chose to prohibit physicians and health care providers

¹ Each prescription for cross-sex hormones for the purpose of transitioning a child’s biological sex or affirming their belief that their gender identity or sex is inconsistent with their biological sex also serves as an independent ground for the Texas Medical Board to revoke Granados’s medical license under Tex. Occ. Code §§ 164.052(a)(24), .0552.

from providing, prescribing, administering, or dispensing puberty blockers and cross-sex hormones to children for the purpose of transitioning their biological sex or affirming their belief that their gender identity or sex is inconsistent with their biological sex. By banning these dangerous and experimental treatments for minors, Texas is ensuring that children receive the opportunity to resolve temporary feelings of discomfort and confusion about their biological sex with time and therapeutic support—without being pressured by radical gender activists to undergo irreversible medical procedures before they are capable of comprehending the significant life-long consequences. The prohibition took effect on September 1, 2023.

Despite the enactment of the law, Granados continues to prescribe and distribute puberty blockers and cross-sex hormones to his minor patients for the purposes of transitioning their biological sex or affirming their belief that their gender identity or sex is inconsistent with their biological sex—writing unlawful prescriptions for the drugs as recently as **August 19, 2024**, with patients filling those unlawful prescriptions as recently as **October 12, 2024**.

Granados, additionally, engaged in false, misleading, and deceptive acts and practices to mislead pharmacies, insurance providers, and/or patients by falsifying medical records, prescriptions, and billing records to conceal that his treatments and prescriptions were for the purposes of transitioning a child's biological sex or affirming a child's belief that their gender identity is inconsistent with their biological sex in violation of Tex. Bus. & Com. Code §§ 17.46(a), (b)(5).

Plaintiff, STATE OF TEXAS, by and through the Attorney General of Texas, KEN PAXTON, has a vested interest in ensuring that medical treatments provided to minors are safe, evidence-based, and in the best interest of the child's physical and emotional development.

Texas is prioritizing the safety and well-being of children by holding Granados accountable for violating state laws prohibiting deceptive trade practices and providing puberty blockers and cross-sex hormones to minors for the purpose of transitioning their biological sex or affirming their belief that their gender identity or sex is inconsistent with their biological sex.

I. PARTIES

1. Defendant is HECTOR M. GRANADOS, M.D. (NPI# 1154616068) (Tex. Lic.# P7640), an employee of Pediatric Endocrinology Associates, in El Paso, Texas. Granados may be served with process at either of Pediatric Endocrinology Associates' following locations: 2270 Joe Battle Boulevard, Suite E, El Paso, TX, 79938 or 9001 Cashew Drive, Suite 100, El Paso, TX, 79907, or wherever he may be found.

II. DISCOVERY CONTROL PLAN

2. Discovery in this case should be conducted under Level 3 pursuant to Tex. R. Civ. P. 190.4. This case is not subject to the restrictions of expedited discovery under Tex. R. Civ. P. 169 because Texas seeks nonmonetary injunctive relief.

3. Additionally, Texas claims entitlement to monetary relief in an amount greater than **\$1,000,000**, including civil penalties, reasonable attorney's fees, litigation expenses, restitution, and costs.

III. JURISDICTION AND VENUE

4. Texas Occ. Code § 161.706(b) provides that venue is proper in "the county where the violation occurred or is about to occur."

5. Venue of this suit lies in Kaufman County, Texas pursuant to Texas Bus. & Com. Code § 17.47(b) and Tex. Health & Safety Code § 161.706(b), because transactions forming the

basis of this suit occurred in Kaufman County, Texas and some of Granados's unlawful conduct occurred or is about to occur in Kaufman County, Texas.

IV. PUBLIC INTEREST

6. Granados violated Tex. Health & Safety Code § 161.702, Tex. Bus. & Com. Code § 17.46(a) and is engaged in unlawful practices, as set forth in this petition.

7. Texas has reason to believe that Granados is engaging in, has engaged in or is about to engage in, the unlawful acts or practices set forth below. Texas has further reason to believe Granados has caused injury, loss, and damage to Texas by endangering the health of its citizens. Therefore, the Consumer Protection Division of the Office of the Attorney General of the State of Texas is of the opinion that these proceedings are in the public interest.

V. TRADE AND COMMERCE

8. At all times described below, Granados engaged in conduct, the purported practice of medicine, which constitutes "trade" and "commerce" as defined in Tex. Bus. & Com. Code § 17.45(6).

VI. NO NOTICE BEFORE SUIT

9. The Consumer Protection Division has reason to believe that Granados "is engaging in, has engaged in, or is about to engage in any act or practice declared to be unlawful ... and that proceedings would be in the public interest...." Tex. Bus. & Com. Code § 17.47(a).

10. The Consumer Protection Division did not contact Granados before filing suit to notify him "in general of the alleged unlawful conduct" because it is the opinion of the Consumer Protection Division that Granados likely "would destroy" or alter "relevant records if prior contact were made." *Id.*

VII. APPLICABLE LAW

11. Texas Bus. & Com. Code § 17.46(a) prohibits “false, misleading, or deceptive acts or practices in the conduct of any trade or commerce.”

12. Texas Bus. & Com. Code § 17.47 authorizes the Consumer Protection Division to bring an action for temporary and permanent injunction whenever it has reason to believe that any person is engaged in, has engaged in, or is about to engage in any act or practice declared unlawful under Chapter 17 of the Business and Commerce Code.

VIII. FACTUAL BACKGROUND

A. *Texas Prohibits the Provision of Puberty Blockers and Cross-Sex Hormones to Minors for the Treatment of Gender Dysphoria.*

13. On May 17, 2023, the Legislature added Subchapter X to the Health and Safety Code, entitled “Gender Transitioning and Gender Reassignment Procedures and Treatments for Certain Children (SB 14).” Act of May 17, 2023, 88th Leg., R.S., ch. 335; *State v. Loe*, 692 S.W.3d 223 (Tex. 2024).

14. Senate Bill 14 prohibits physician and health care providers from performing certain procedures or treatments when performed to (1) “transition[] a child’s biological sex as determined by the sex organs, chromosomes, and endogenous profiles of the child”; or (2) “affirm[] the child’s perception of the child’s sex if that perception is inconsistent with the child’s biological sex.” Tex. Health & Safety Code § 161.702.

15. The effective date for SB14 was September 1, 2023.

16. Senate Bill 14 added Tex. Health & Safety Code § 161.702(3), which prohibits physicians from knowingly prescribing the following to transition a child’s biological sex or affirm a child’s perception of their sex if it is different from their biological sex: “(A) puberty

suppression or blocking prescription drugs to stop or delay normal puberty; (B) supraphysiologic doses of testosterone to females; or (C) supraphysiologic doses of estrogen to males.”

17. Physicians were permitted to prescribe to patients already subject to a continuing course of treatment that began prior to June 1, 2023, and who attended at least 12 mental health counseling or psychotherapy sessions over a period of at least six months prior to starting treatment, provided that the prescriptions were for the purpose of “wean[ing] off the prescription drug over a period of time and in a manner that is safe and medically appropriate and that minimizes the risk of complications.” Tex. Health & Safety Code § 161.703(b)-(c).

18. Senate Bill 14 also added Tex. Occ. Code § 164.052(a)(24), which proscribed physicians from “perform[ing] a gender transitioning or gender reassignment procedure or treatment in violation of [Tex. Health & Safety Code § 161.702].”

19. Finally, SB14 added Tex. Occ. Code § 164.0552, which commands that the Texas Medical Board “*shall revoke* the license or other authorization to practice medicine of a physician who violates [Tex. Health & Safety Code § 161.702].” (emphasis added).

B. *The Texas Supreme Court Held That SB 14 is Constitutional.*

20. Before SB 14 took effect several minors, parents of minors, and physicians brought suit in Travis County, TX, alleging a variety of constitutional challenges to the law. *Loe*, 692 S.W.3d at 222.

21. On August 25, 2023, a Travis County District Court entered a temporary injunction enjoining enforcement of SB 14. *Id.*

22. Texas appealed directly to the Texas Supreme Court, thereby dissolving the temporary injunction. *Id.*

23. On September 1, 2023, the Texas Supreme Court allowed SB 14 to take effect during the pendency of the appeal. *Id.*

24. On June 28, 2024, the Supreme Court of Texas reversed and vacated the trial court's Temporary Injunction Order after rejecting each of the plaintiffs' constitutional challenges to SB 14. *Id.* at 239.

C. *Granados is a Radical Gender Activist.*

25. Granados "trained under the guidance of Dr. Priya Phulwani, a pediatric endocrinologist who led the Connecticut Children's Medical Center's Gender Identity Program." Victor R. Martinez, *Texas Tech opens El Paso's first transgender clinic*, El Paso Times (Aug. 23, 2015), <https://tinyurl.com/2c6325fc>.

26. In April 2015, Granados launched the Children & Adolescent Gender Clinic at the Texas Tech Health Sciences Center in El Paso, TX. *Id.*

27. The Children & Adolescent Gender Clinic specialized in "helping pre-teens, teenagers, and their diagnosis of gender identity dysphoria." *Id.*

28. Granados has stated that he "follow[s] guidelines from the Endocrine Society for transgender treatments and procedures and their recommendation is to block puberty the moment it starts so it doesn't progress so that's about 16 years old." *Id.*

29. Granados has also stated that he "do[es] the cross-gender hormones early probably 12 or 13 if these children have been identifying themselves all their lives and they already have that social support, they will do the transition at the time of puberty." *Id.* He admits, however, that "[o]nce you start [cross-sex] hormones, you can affect fertility." *Id.*

30. Furthermore, Granados has advocated for the medical transition of children's biological sex, contributing to the following publications and lectures:

- i. Oralia Loza, *et al.*, *Developing Trans-Affirming Health Services in an Underserved Area: An Intersectional Approach*, Transgender Health (Jul 1 2018), <https://tinyurl.com/5dt3nran>;
- ii. Hector Granados, *Let me tell you how I help Children with Transgender Issues be Who they want to be!*, Presidential Lectures Series, Texas Tech University Health Sciences Center, Lubbock, Texas, (Nov 2015), <https://tinyurl.com/4hm23emz>;
- iii. Hector Granados, *Suppression of Puberty in Transgender Children New Understanding of Physiology of Puberty and Management with GnRH Analogs*, Gender Infinity Conference, University of Houston, Houston, Texas (Sept. 2016), *id.*;
- iv. Hector Granados, *Barriers Encountered for Transgender Care*, El Paso Transgender Health Initiative Group, Sixth Annual Cultural Competence Conference, El Paso Texas Tech University Health Sciences Center (Feb. 24, 2017), *id.*; and,
- v. Hector Granados, *Let me tell you how I help Children with Transgender issues be who they want to be!*, Fort Bliss Mendoza Clinic, El Paso, Texas (Mar. 2017), *id.*

31. Granados's practices, publications, and presentations reveal an entrenched commitment to a gender ideology that desires to medically transition the biological sex of children or affirm the belief that a child's gender identity is inconsistent with their biological sex.

IX. FALSE, MISLEADING, OR DECEPTIVE ACTS

32. Texas incorporates and adopts by reference the allegations contained in each and every preceding paragraph of this Petition.

A. *Granados is Fraudulently Diagnosing and Billing using Precocious Puberty Codes.*

33. Puberty normally begins around the ages of 8 and 13 in biological females and 9 and 14 years in biological males. Precocious Puberty/Early Puberty, Cleveland Clinic (accessed Oct. 23, 2024), <https://tinyurl.com/bdt8e976>.

34. **Conversely, “precocious puberty” is the early onset of secondary sexual characteristics before 8 years of age in biological females and 9 years in biological males.** Archana Kota & Sehar Ejaz, Precocious Puberty, StatPearls, National Library of Medicine (Jul 4, 2023), <https://tinyurl.com/4whcjx2z>; PRECOCIOUS PUBERTY, Stedmans Medical Dictionary 738570 (Nov. 2014) (“condition in which pubertal changes begin at an unexpectedly early age. This can involve the initiation of the normal hypothalamopituitary axis changes before the age of 8 in girls, and age 9 in boys.”).

35. Generally, precocious puberty is treated with puberty blockers to delay puberty until the age that a child will naturally go through puberty with their peers.

36. **Treatment of precious puberty with puberty blockers is normally stopped before ages 11 for biological females and 12 for biological males. *Id.***

37. By contrast World Professional Association of Transgender Health (“WPATH”) and the Endocrine Society recommend puberty blockers for the alternative (and unlawful in Texas) purpose of medically transitioning the biological sex of children or affirming the belief that a child’s gender identity is inconsistent with their biological sex. Standards of Care 8, WPATH App’x D (2023) (“WPATH SOC”), <https://tinyurl.com/5bz22bsj>; Wylie C Hembree, *et al.*, *Endocrine Treatment of Gender-Dysphoric/Gender-Incongruent Persons: An Endocrine Society Clinical Practice Guideline*, 102 *Journal of Clinical Endocrinology & Metabolism* 11, pg. 3871 (Nov. 1, 2017) (“Endocrine Society Guidelines”), <https://tinyurl.com/2x7b2sxn>.

38. Stated differently, in transgender treatments and procedures the goal of the puberty blocker is to put puberty on pause to buy time and to prevent physical changes of puberty so that the child may transition to another sex.

39. Thus, contrary to the treatment goals of precocious puberty, the goal in transgender treatments is to disrupt the normal functioning of the body to produce an unnatural developmental response.

40. Upon information and belief, many insurance providers do not accept a transgender related billing codes when coupled with prescriptions for puberty blockers because puberty blockers are only Federal and Drug Administration (“FDA”) approved for use in the treatment of precocious puberty for minors (cross-sex hormones are similarly not FDA approved for transgender related treatments). *See e.g.*, Stephen Rosenthal, *Insurance Coverage and Coding Considerations in Gender Affirming Hormonal Care for Adolescents & Young Adults*, WPATH ppt 12 (Jul. 28, 2021), <https://tinyurl.com/4vycb29r>.

Patient One²

41. On March 19, 2024, Patient One, a 14-year-old minor, was seen by Granados for a telemedicine office visit.

42. Granados falsely diagnosed Patient One with precocious puberty during the visit.

43. Granados falsely billed insurance for treating Patient One for precocious puberty when, in fact, he was treating Patient One for gender dysphoria and transitioning their biological sex or affirming their belief that their gender identity is inconsistent with their biological sex.

44. Upon information and belief, Granados is prescribing puberty blockers to Patient One under the pretense of treating precocious puberty when, in fact, the puberty blockers are

² Pseudonyms are used throughout to protect the identity of the victim minor patients.

prescribed for the purposes of transitioning Patient One's biological sex or affirming their belief that their gender identity is inconsistent with their biological sex.

Patient Two

45. On January 17, 2024, Patient Two, a 13-year-old minor, was seen by Granados for an office visit.

46. Granados falsely diagnosed Patient Two with precocious puberty during the visit.

47. Granados falsely billed insurance for treating Patient Two for precocious puberty when, in fact, he was treating Patient Two for gender dysphoria and transitioning their biological sex or affirming their belief that their gender identity is inconsistent with their biological sex.

48. Upon information and belief, Granados is prescribing puberty blockers to Patient Two under the pretense of treating precocious puberty when, in fact, the puberty blockers are prescribed for the purposes of transitioning Patient Two's biological sex or affirming their belief that their gender identity is inconsistent with their biological sex.

Patient Three

49. On September 27, 2023, Patient Three, a 13-year-old minor, was seen by Granados for an office visit.

50. Granados falsely diagnosed Patient Three with precocious puberty during the visit.

51. Granados falsely billed insurance for treating Patient Three for precocious puberty when, in fact, he was treating Patient Three for gender dysphoria and transitioning their biological sex or affirming their belief that their gender identity is inconsistent with their biological sex.

52. Upon information and belief, Granados is prescribing puberty blockers to Patient Three under the pretense of treating precocious puberty when, in fact, the puberty blockers are prescribed for the purposes of transitioning Patient Three's biological sex or affirming their belief that their gender identity is inconsistent with their biological sex.

Patient Four

53. On July 25, 2023, Patient Four, a 12-year-old minor, was seen by Granados for an office visit.

54. Granados falsely diagnosed Patient Four with precocious puberty during the visit.

55. Granados falsely billed insurance for treating Patient Four for precocious puberty when, in fact, he was treating Patient Four for gender dysphoria and transitioning their biological sex or affirming their belief that their gender identity is inconsistent with their biological sex.

56. Upon information and belief, Granados is prescribing puberty blockers to Patient Four under the pretense of treating precocious puberty when, in fact, the puberty blockers are prescribed for the purposes of transitioning Patient Four's biological sex or affirming their belief that their gender identity is inconsistent with their biological sex.

Patient Five

57. On July 26, 2023, Patient Five, a 12-year-old minor, was seen by Granados for an office visit.

58. Granados falsely diagnosed Patient Five with precocious puberty during the visit.

59. Granados falsely billed insurance for treating Patient Five for precocious puberty when, in fact, he was treating Patient Five for gender dysphoria and transitioning their biological sex or affirming their belief that their gender identity is inconsistent with their biological sex.

60. Upon information and belief, Granados is prescribing puberty blockers to Patient Five under the pretense of treating precocious puberty when, in fact, the puberty blockers are prescribed for the purposes of transitioning Patient Five's biological sex or affirming their belief that their gender identity is inconsistent with their biological sex.

Patient Six

61. On February 9, 2024, Patient Six, a 12-year-old minor, was seen by Granados for an office visit.

62. Granados falsely diagnosed Patient Six with precocious puberty during the visit.

63. Granados falsely billed insurance for treating Patient Six for precocious puberty when, in fact, he was treating Patient Six for gender dysphoria and transitioning their biological sex or affirming their belief that their gender identity is inconsistent with their biological sex.

64. Upon information and belief, Granados is prescribing puberty blockers to Patient Six under the pretense of treating precocious puberty when, in fact, the puberty blockers are prescribed for the purposes of transitioning Patient Six's biological sex or affirming their belief that their gender identity is inconsistent with their biological sex.

Patient Seven

65. On March 22, 2024, Patient Seven, a 12-year-old minor, was seen by Granados for an office visit.

66. Granados falsely diagnosed Patient Seven with precocious puberty during the visit.

67. Granados falsely billed insurance for treating Patient Seven for precocious puberty when, in fact, he was treating Patient Seven for gender dysphoria and transitioning their

biological sex or affirming their belief that their gender identity is inconsistent with their biological sex.

68. Upon information and belief, Granados is prescribing puberty blockers to Patient Seven under the pretense of treating precocious puberty when, in fact, the puberty blockers are prescribed for the purposes of transitioning Patient Seven's biological sex or affirming their belief that their gender identity is inconsistent with their biological sex.

* * *

69. Upon information and belief, Patients One through Seven are transgender patients that Granados evaluated, diagnosed, and treated for gender dysphoria, while falsely, misleadingly, and deceptively, diagnosing, billing, and prescribing puberty blockers to for the treatment of precocious puberty.

70. Granados is engaging in false, misleading, or deceptive practices, by falsely diagnosing and billing patients using the precocious puberty code instead of the F64 gender related diagnosis codes to conceal that he is prescribing puberty blockers and treating the patient for the purposes of transitioning their biological sex or affirming their belief that their gender identity is inconsistent with their biological sex in violation of Tex. Bus. & Com. Code §§ 17.46(a), (b)(5).³

71. Granados, as alleged herein, has in the course of trade and commerce engaged in false, misleading, and deceptive acts and practices declared unlawful in violation of Tex. Bus. & Com. Code §§ 17.46(a), (b)(5).

³ The *International Classification of Diseases, 10th Revision*'s medical classification for gender identity disorders includes the following diagnosis codes: F64.0 Transsexualism, including other gender identity disorder and gender dysphoria in adolescents and adults; F64.1 Dual role transvestism; F64.2 Gender identity disorder of childhood; F64.8 Other gender identity disorders; and F64.0 Gender identity disorder, unspecified.

72. Texas Bus. & Com. Code § 17.46(a) prohibits “false, misleading, or deceptive acts or practices in the conduct of any trade or commerce.”

73. Granados deceptively misleads pharmacies, insurance providers, and/or the patients by falsifying patient medical records, prescriptions, and billing records to indicate that office visits and prescriptions written to minor patients are for precocious puberty when, in fact, they are for the purpose of transitioning their biological sex or affirming their belief that their gender identity is inconsistent with their biological sex.

74. Texas Bus. & Com. Code § 17.46(b)(5) prohibits “representing that goods or services have sponsorship, approval, characteristics, ingredients, uses, benefits, or quantities which they do not have or that a person has a sponsorship, approval, status, affiliation, or connection which the person does not.”

75. Granados deceptively misleads pharmacies, insurance providers and/or the patients by falsifying patient medical records, prescriptions, and billing records to indicate the use of puberty blockers are being used for the treatment of precocious puberty when, in fact, the patients do not have precocious puberty and are instead being treated for the purposes transitioning their biological sex or affirming their belief that their gender identity is inconsistent with their biological sex.

76. Granados deceptively induces pharmacies, insurance providers, and/or the patients into entering into transactions by falsifying patient medical records, prescriptions, and billing records to conceal that the treatments and prescriptions are for the unlawful purposes of transitioning a child’s biological sex or affirming their belief that their gender identity is inconsistent with their biological sex.

X. VIOLATIONS OF SB 14.

77. Texas incorporates and adopts by reference the allegations contained in each and every preceding paragraph of this Petition.

78. Granados has knowingly violated Tex. Health & Safety Code § 161.702(3).

A. *Cross-Sex Hormones to Transition a Child's Biological Sex or Affirm a Child's Belief that their Gender Identity or Sex is Inconsistent with their Biological Sex.*

79. High dose cross-sex hormones are commonly used by certain gender activists to transition the biological sex of children or affirm a child's belief that their gender identity is inconsistent with their biological sex.

80. Cross-sex hormones induce a supraphysiologic state where the hormone levels are greater than would otherwise normally be present in the child's body.

81. As a result of the cross-sex hormones, the child will develop secondary sex characteristics.

82. Testosterone is a cross-sex hormone that is used to induce irreversible male secondary sex characteristics in biological females.

83. Testosterone is a Schedule III controlled substance.

84. Radical gender activists within the medical profession rely on the so-called "Standards of Care" promulgated by the WPATH as guidelines for transitioning the biological sex of children or affirming a child's belief that their gender identity is inconsistent with their biological sex. *See e.g. Selena Simmons-Duffin, Rachel Levine calls state anti-LGBTQ bills disturbing and dangerous to trans youth*, NPR (Apr. 29, 2022) (claiming that the standard for treating gender dysphoria is set by the WPATH), <https://tinyurl.com/3jxymtum>.

85. WPATH recommends transitioning the biological sex of a child or affirming a child's belief that their gender identity is inconsistent with their biological sex by prescribing injectable testosterone cypionate to induce a state of male puberty in a biological female such that she will develop irreversible male secondary sex characteristics, WPATH SOC at App'x C.

86. WPATH and the Endocrine Society Guidelines recommends "induction of male puberty" in a biological female minor by prescribing "25mg/m²/2 weeks (or alternatively half this dose weekly) [of testosterone]. Increase by 25mg/m²/2 weeks every 6 months until adult dose and target testosterone levels achieved." *Id.*; Endocrine Society Guidelines at 3884, Tbl. 8 (same).

87. WPATH and the Endocrine Society Guidelines alternatively recommend the following testosterone regime for biological females to induce male secondary sex characteristics, "testosterone enanthate/cypionate 50-100 IM/SQ weekly or 100-200 IM every 2 weeks." WPATH SOC at App'x C; Endocrine Society Guidelines at 3887, Tbl. 11 (same).

B. *Testosterone is not FDA approved for biological females.*

88. The FDA has *not approved* testosterone for the treatment of any medical conditions in biological females.

89. Indeed, the FDA warns that testosterone cypionate "**is contraindicated in pregnant women and not indicated for use in females.**" TESTOSTERONE CYPIONATE INJECTION, FDA (June 2022) (emphasis added), <https://tinyurl.com/4psvbdeb>.

90. Under appropriate medical practices, testosterone is, instead, "use[d] to treat **males** whose bodies do not make enough natural testosterone, a condition called hypogonadism. Testosterone is a male hormone responsible for the growth and development of the male sex

organs and maintenance of secondary sex characteristics. **This medicine is not for use in female patients.**” TESTOSTERONE CYPIONATE, Mayo Clinic (accessed October 15, 2024) (emphasis added), <https://tinyurl.com/558b8fcv>.

91. **There is no valid medical reason within the standard of care to prescribe testosterone to a minor biological female.** See e.g., Gary Donovitz, *et.al.*, *Testosterone Insufficiency and Treatment in Women: International Expert Consensus*, *Medicina y Salud Pública* (Sept. 4, 2019) (noting that some physicians use *low-dose* testosterone off-label to treat certain conditions in *adult* females associated with menopause), <https://tinyurl.com/2ay9wsav>.

92. **The only reasons to prescribe testosterone to a minor biological female is for the purposes of transitioning their biological sex or affirming their belief that their gender identity is inconsistent with their biological sex.**

C. *Granados’s Testosterone Prescribing*

93. Radical gender activists in the medical profession, like Granados, habitually alter the biological sex of their transgender patients in their medical records. See e.g., May C. Lau, M.D., *Transgender Care of Adolescents and Adults*, Youtube 20:59-22:40 (Jan. 8, 2020), <https://tinyurl.com/mkt4pzs3> (Granados’s colleague doctor Dr. Lau admitting that she alters patient’s medical records to reflect their preferred name, sex, and pronouns, which can change on a visit-to-visit basis, something that is apparently “fairly typical [and] kind of persists into adulthood” for her minor transgender patients).

94. Granados has violated the law by providing, prescribing, administering, or dispensing puberty blockers and testosterone to minor patients for the purposes of transitioning

their biological sex or affirming their belief that their gender identity is inconsistent with their biological sex:

Patient Eight

95. Patient Eight resides in El Paso County, TX.

96. Patient Eight was 17 years old during the relevant time.

97. Granados's records identify Patient Eight as a biological male, but upon information and belief, Patient Eight is a biological female.

98. On October 13, 2023, after SB 14 went into effect, Granados wrote Patient Eight a prescription for a 10-day supply of 1,000 mg/10ml of testosterone cypionate for the purpose of transitioning their biological sex or affirming their belief that their gender identity is inconsistent with their biological sex.

99. On October 18, 2023, Patient Eight filled the prescription at a pharmacy located in El Paso County, TX.

100. On June 12, 2024, Granados wrote Patient Eight a prescription for a 140-day supply of 1,000mg/10ml of testosterone cypionate for the purpose of transitioning their biological sex or affirming their belief that their gender identity is inconsistent with their biological sex.

101. On October 12, 2024, Patient Eight filled the prescription at a pharmacy located in Johnson County, KS.

Patient Nine

102. Patient Nine resides in El Paso County, TX.

103. Patient Nine was 14 years old during the relevant time.

104. Granados's records identify Patient Nine as a biological male, but upon information and belief, Patient Nine is a biological female.

105. On June 5, 2024, after SB 14 went into effect, Granados wrote Patient Nine a prescription for a 30-day supply of 200 mg/ml of testosterone cypionate for the purpose of transitioning their biological sex or affirming their belief that their gender identity is inconsistent with their biological sex.

106. The same day, Patient Nine filled the prescription at a pharmacy located in El Paso County, TX.

107. On July 11, 2024, Patient Nine refilled the prescription at a pharmacy located in El Paso County, TX.

108. On August 9, 2024, Patient Nine refilled the prescription at a pharmacy located in El Paso County, TX.

Patient Ten

109. Patient Ten resides in El Paso County, TX.

110. Patient Ten was 16 years old during the relevant time.

111. Granados's records identify Patient Ten as a biological male, but upon information and belief, Patient Ten is a biological female.

112. On December 27, 2023, after SB 14 went into effect, Granados wrote Patient Ten a prescription for a 14-day supply of 200 mg/ml of testosterone cypionate for the purpose of transitioning their biological sex or affirming their belief that their gender identity is inconsistent with their biological sex with orders to fill the prescription after SB 14 took effect.

113. On February 3, 2024, Patient Ten filled the prescription at a pharmacy located in El Paso County, TX.

Patient Eleven

114. Patient Eleven resides in El Paso County, TX.

115. Patient Eleven was 16 years old at the relevant time.

116. Granados's records identify Patient Eleven as a biological male, but upon information and belief, Patient Eleven is a biological female.

117. On January 29, 2024, after SB 14 went into effect, Granados wrote Patient Eleven a prescription for a 15-day supply of 2,000 mg/10ml of testosterone cypionate for the purpose of transitioning their biological sex or affirming their belief that their gender identity is inconsistent with their biological sex with orders to fill the prescription after SB 14 took effect.

118. On January 30, 2024, Patient Eleven filled the prescription at a pharmacy located in El Paso County, TX.

Patient Twelve

119. Patient Twelve resides in El Paso County, TX.

120. Patient Twelve was 15 years old at the relevant time.

121. Granados's records identify Patient Twelve as a biological male, but upon information and belief, Patient Twelve is a biological female.

122. On January 8, 2024, after SB14 took effect, Granados wrote Patient Twelve a prescription for a 30-day supply of 200 mg/ml of testosterone cypionate for the purpose of transitioning their biological sex or affirming their belief that their gender identity is inconsistent with their biological sex with orders to fill the prescription after SB 14 took effect.

123. On January 8, 2024, Patient Twelve filled the prescription at a pharmacy located in El Paso County, TX.

124. On April 5, 2024, Patient Twelve refilled the prescription at a pharmacy located in El Paso County, TX.

125. On May 7, 2024, Patient Twelve refilled the prescription at a pharmacy located in El Paso County, TX.

126. On May 11, 2024, Granados wrote Patient Twelve one prescription a 28-day supply of 200 mg/ml of testosterone cypionate for the purpose of transitioning their biological sex or affirming their belief that their gender identity is inconsistent with their biological sex.

127. On June 6, 2024, Patient Twelve refilled the prescription at a pharmacy located in El Paso County, TX.

128. On August 2, 2024, Patient Twelve refilled the prescription at a pharmacy located in El Paso County, TX.

129. On August 26, 2024, Granados wrote Patient Twelve one prescription for a 28-day supply of 200 mg/ml of testosterone cypionate for the purpose of transitioning their biological sex or affirming their belief that their gender identity is inconsistent with their biological sex.

130. On August 30, 2024, Patient Twelve filled the prescription at a pharmacy located in El Paso County, TX.

Patient Thirteen

131. Patient Thirteen resided in El Paso County, TX.

132. Patient Thirteen was 17 years old at the relevant time.

133. Granados's records identify Patient Thirteen as a biological male, but upon information and belief, Patient Thirteen is a biological female.

134. On April 17, 2023, Granados wrote Patient Thirteen a prescription for a 28-day supply of 200 mg/ml testosterone cypionate for the purpose of transitioning their biological sex or affirming their belief that their gender identity is inconsistent with their biological sex with orders to fill the prescription after SB 14 took effect.

135. On September 18, 2023, Patient Thirteen filled the prescription at a pharmacy in El Paso County, TX.

136. On August 4, 2023, Granados wrote Patient Thirteen a prescription for a 28-day supply of 200 mg/ml of testosterone cypionate for the purpose of transitioning their biological sex or affirming their belief that their gender identity is inconsistent with their biological sex with orders to fill the prescription after SB 14 took effect.

137. On October 16, 2023, after SB 14 went into effect, Patient Thirteen filled the prescription at a pharmacy located in El Paso County, TX.

138. On November 15, 2023, Patient Thirteen refilled the prescription at a pharmacy in El Paso, County.

Patient Fourteen

139. Patient Fourteen resides in Kaufman County, TX.

140. Patient Fourteen was 15 years old at the relevant time.

141. Granados's records identify Patient Fourteen as a biological male, but upon information and belief, Patient Fourteen is a biological female.

142. On November 20, 2023, after SB14 took effect, Granados wrote Patient Fourteen a prescription for a 70-day supply of 1,000 mg/10ml of testosterone cypionate for the purpose of transitioning their biological sex or affirming their belief that their gender identity is inconsistent with their biological sex.

143. On December 5, Patient Fourteen filled the prescription at a pharmacy located in El Paso County, TX.

Patient Fifteen

144. Patient Fifteen resides in El Paso County, TX.

145. Patient Fifteen was 14 years old at the relevant time.

146. Granados's records identify Patient Fifteen as a biological male, but upon information and belief, Patient Fifteen is a biological female.

147. On December 8, 2023, after SB14 took effect, Granados wrote Patient Fifteen a prescription for a 28-day supply of 1,000 mg/10ml of testosterone cypionate for the purpose of transitioning their biological sex or affirming their belief that their gender identity is inconsistent with their biological sex.

148. On December 13, 2023, Patient Fifteen filled the prescription at a pharmacy located in El Paso County, TX.

149. On January 12, 2024, Granados wrote Patient Fifteen two prescriptions for a 10-day supply of 200 mg/ml of testosterone cypionate for the purpose of transitioning their biological sex or affirming their belief that their gender identity is inconsistent with their biological sex.

150. On January 16, 2024, Patient Fifteen filled the first prescription at a pharmacy in El Paso County, TX.

151. On February 14, 2024, Patient Fifteen filled the second prescription at a pharmacy in El Paso County, TX.

152. On February 23, 2024, Granados wrote Patient Fifteen a prescription for a 28-day supply of 200 mg/ml of testosterone cypionate for the purpose of transitioning their biological sex or affirming their belief that their gender identity is inconsistent with their biological sex.

153. On the same day, Patient Fifteen filled that prescription at a pharmacy in El Paso County, TX.

154. On April 17, 2024, Granados wrote Patient Fifteen two prescriptions for a 14-day and 28-day supply of 200 mg/ml of testosterone cypionate for the purpose of transitioning their biological sex or affirming their belief that their gender identity is inconsistent with their biological sex.

155. On the same day, Patient Fifteen filled the first prescription at a pharmacy in El Paso County, TX.

156. On July 14, 2024, Patient Fifteen filled the second prescription at a pharmacy in El Paso County, TX.

157. On August 9, 2024, Granados wrote Patient Fifteen a prescription for a 42-day supply of 200 mg/ml testosterone cypionate for the purpose of transitioning their biological sex or affirming their belief that their gender identity is inconsistent with their biological sex.

158. On the same day, Patient Fifteen filled the prescription at a pharmacy in El Paso County, TX.

Patient Sixteen

159. Patient Sixteen resides in El Paso County, TX.

160. Patient Sixteen was 17 years old at the relevant time.

161. Granados's records identify Patient Sixteen as a biological male, but upon information and belief, Patient Sixteen is a biological male.

162. On October 31, 2023, after SB 14 went into effect, Granados wrote Patient Sixteen two prescriptions for a 30-day supply of testosterone 1.62% Gel Pump for the purpose of transitioning their biological sex or affirming their belief that their gender identity is inconsistent with their biological sex.

163. On November 1, 2023, Patient Sixteen filled the first prescription at a pharmacy located in El Paso County, TX.

164. On January 30, 2024, Patient Sixteen filled the second prescription at a pharmacy located in El Paso County, TX.

165. On January 31, 2024, Granados wrote Patient Sixteen a prescription for a 30-day supply of testosterone 1.62% Gel Pump for the purpose of transitioning their biological sex or affirming their belief that their gender identity is inconsistent with their biological sex.

166. On February 29, 2024, Patient Sixteen filled the prescription at a pharmacy in El Paso County, TX.

Patient Seventeen

167. Patient Seventeen resides in El Paso County, TX.

168. Patient Seventeen was 15 years old at the relevant time.

169. Granados's records identify Patient Seventeen as a biological male, but upon information and belief, Patient Seventeen is a biological male.

170. On August 19, 2024, Granados wrote Patient Seventeen a prescription for a 30-day supply of 200 mg/ml of testosterone cypionate for the purpose of transitioning their biological sex or affirming their belief that their gender identity is inconsistent with their biological sex.

171. On the same day, Patient Seventeen filled the prescription at a pharmacy located in El Paso County, TX.

Patient Eighteen

172. Patient Eighteen resides in El Paso County, TX.

173. Patient Eighteen was 17 years old at the relevant date.

174. Granados's records identify Patient Eighteen as a biological male, but upon information and belief, Patient Eighteen is a biological female.

175. On April 22, 2024, Granados wrote Patient Eighteen several prescriptions for a 100-day supply of 1,000 mg/10ml of testosterone cypionate for the purpose of transitioning their biological sex or affirming their belief that their gender identity is inconsistent with their biological sex.

176. On May 14, 2024, Patient Eighteen filled the prescription at a pharmacy located in El Paso County, TX.

Patient Nineteen

177. Patient Nineteen resides in El Paso County, TX.

178. Patient Nineteen was 16 years old at the relevant time.

179. Granados's records identify Patient Nineteen as a biological male, but upon information and belief, Patient Nineteen is a biological female.

180. On August 25, 2023, Granados wrote Patient Nineteen a prescription for a 28-day supply of 200 mg/ml of testosterone cypionate for the purpose of transitioning their biological sex or affirming their belief that their gender identity is inconsistent with their biological sex with orders to fill the prescription after SB 14 took effect.

181. On October 5, 2023, after SB 14 went into effect, Patient Nineteen filled the prescription at a pharmacy located in El Paso County, TX.

182. On November 8, 2023, Patient Nineteen refilled the prescription at a pharmacy located in El Paso County, TX.

183. On January 9, 2024, Patient Nineteen refilled the prescription at a pharmacy located in El Paso County, TX.

184. On February 5, 2024, Patient Nineteen refilled the prescription at a pharmacy located in El Paso County, TX.

Patient Twenty

185. Patient Twenty resides in El Paso County, TX.

186. Patient Twenty was 16 years old during the relevant time.

187. Granados's records identify Patient Twenty as a biological male, but upon information and belief, Patient Twenty is a biological female.

188. On August 21, 2023, Granados wrote Patient Twenty a prescription for a 14-day supply of 200 mg/ml of testosterone cypionate for the purpose of transitioning their biological

sex or affirming their belief that their gender identity is inconsistent with their biological sex with orders to fill the prescription after SB 14 took effect.

189. On October 3, 2023, 43-days after the prescription was written and after SB 14 went into effect, Patient Twenty filled the prescription at a pharmacy located in El Paso County, TX.

190. On November 25, 2023, Patient Twenty refilled the prescription at a pharmacy located in El Paso County, TX.

191. On February 13, 2024, Patient Twenty refilled the prescription at a pharmacy located in El Paso County, TX.

Patient Twenty-One

192. Patient Twenty-One resides in El Paso County, TX.

193. Patient Twenty-One was 16 years old at the relevant time.

194. Granados's records identify Patient Twenty-One as a biological female.

195. On April 17, 2023, Granados wrote Patient Twenty-One a prescription for a 30-day supply of 200 mg/ml of testosterone cypionate for the purpose of transitioning their biological sex or affirming their belief that their gender identity is inconsistent with their biological sex with orders to fill the prescription after SB 14 took effect.

196. On September 23, 2023, 159-days after Granados wrote the prescription and after SB 14 went into effect, Patient Twenty-One filled the prescription at a pharmacy located in El Paso County, TX.

* * *

197. Granados unlawfully treated 21 patients with testosterone or puberty blockers for the purposes of transitioning their biological sex or affirming their belief that their gender identity is inconsistent with their biological sex in violation of SB 14.

198. Some of Granados's medical records for the patients identified in the preceding paragraphs indicate that the patients are male, but upon information and belief, **all of the aforementioned patients prescribed testosterone are biological females** and Granados is prescribing to them for the purposes of transitioning their biological sex or affirming their belief that their gender identity is inconsistent with their biological sex.

199. Granados cannot circumvent SB 14 by writing puberty blocker or testosterone prescriptions to his patients *prior* to the SB 14 taking effect with orders to fill or refill the prescriptions *after* it takes effect, see 22 Tex. Admin. Code § 315.3(b)(2) (Schedule III Controlled Substances can be refilled up to five times within six months of the date of issuance), because a "prescription" order is not a singular discrete act, but a continuing act of treatment that begins with the prescription being written that continues through the pharmacist filling the prescription and the drug being used as directed by the patient, or until the written prescription expires or is cancelled, and *alternatively*, because by issuing prescriptions with orders to fill them after the effective date of SB 14 Granados is "providing" the prescribed medication to the patient at the time they fill and use the prescription as directed, which they could not do otherwise without the prescription.

200. Each and every prescription for puberty blockers or testosterone written by Granados after September 1, 2023, or filled or taken as directed by a patient after September 1, 2023, for the purpose of transitioning the minor's biological sex or affirming their belief that their

gender identity is inconsistent with their biological sex violates Tex. Health & Safety Code § 161.702(3). *See* Tex. Occ. Code § 164.052(a)(24) (each violation separately violates the Texas Medical Practice Act); *see also* Tex. Occ. Code § 164.0552 (each violation serves as an independent ground for revocation of Granados's medical license).

201. Further, upon information and belief, Granados is engaging in false, misleading, or deceptive practices, by falsely diagnosing and billing patients using endocrine disorder, unspecified, billing codes instead of gender related diagnoses codes to conceal that he is prescribing testosterone to biological female minors for the purposes of transitioning their biological sex or affirming their belief that their gender identity is inconsistent with their biological sex in violation of Tex. Bus. & Com. Code §§ 17.46(a), (b)(5).

XI. APPLICATION FOR TEMPORARY AND PERMANENT INJUNCTIONS

202. Texas incorporates and adopts by reference the allegations contained in each and every preceding paragraph of this Petition.

203. Texas has reason to believe that Granados is engaging in, has engaged in, or is about to engage in acts and practices declared to be unlawful under Tex. Health & Safety Code § 161.702(3) and Tex. Bus. & Com. Code §§ 17.46(a), (b)(5), and believes these proceedings to be in the public interest.

204. Texas is entitled to, and seeks, temporary and permanent injunctions pursuant to Tex. Health and Safety Code § 161.702 as well as Tex. Bus. & Com. Code § 17.47.

205. Cessation of unlawful conduct by Granados shall not render such court action moot under any circumstances. *Id.*

206. Immediate injunctive relief is necessary to prevent continuing harm prior to trial.

207. In addition to the above-requested relief, pursuant to Tex. Civ. Prac. Rem. Code § 65.011 *et seq.* and Tex. R. Civ. P. 680 *et seq.*, to preserve the status quo pending a full trial on the merits, *see Butnaru v. Ford Motor Co.*, 84 S.W.3d 198, 204 (Tex. 2002), the Texas Attorney General's Office request a temporary injunction against Granados that enjoins him from the following until final resolution of this matter:

- i. Prescribing puberty blockers and testosterone or estrogen to minors for the purposes of transitioning the minor's biological sex or affirming their belief that their gender identity or sex is inconsistent with their biological sex; and
- ii. Deceptively misleading pharmacies, insurance providers, and/or the patients as to the correct medical diagnosis by writing prescriptions and billing for the purposes of transitioning the minor's biological sex or affirming their belief that their gender identity or sex is inconsistent with their biological sex under false diagnoses, such as precocious puberty or endocrine disorder, undefined, rather than gender dysphoria (or other similarly related diagnosis).

XII. PRAYER FOR RELIEF

208. THEREFORE Texas prays that Granados be cited to appear and that after due notice and hearing, a temporary injunction be issued, and that upon final hearing a permanent injunction be issued, restraining and enjoining Granados and all persons in active concert or participation with him, who receive actual notice of the injunction by personal service or otherwise from engaging in false, misleading or deceptive acts and practices declared to be unlawful by Tex. Health and Safety Code § 161.702 and Tex. Bus. & Com. Code § 17. 46(a), (b)(5), including but not limited to:

- i. Prescribing puberty blockers and testosterone or estrogen to minors for the purpose of transitioning the minor's biological sex or affirming their belief that their gender identity or sex is inconsistent with their biological sex; and

- ii. Deceptively misleading pharmacies, insurance providers, and/or the patients as to the correct medical diagnosis by writing prescriptions and billing for the purposes of transitioning the minor's biological sex or affirming their belief that their gender identity or sex is inconsistent with their biological sex under false diagnoses, such as precocious puberty or endocrine disorder, undefined, rather than gender dysphoria (or other similarly related diagnosis).
209. TEXAS FURTHER PRAYS that upon final hearing, this Court order:
- i. Adjudge against Granados civil penalties in favor of the State in the amount of not more than \$10,000 per violation of Tex. Bus. & Com. Code § 17.46(a), (b)(5);
 - ii. Order Granados to pay Texas's attorneys' fees and costs of court pursuant to Tex. Gov't Code § 402.006(c);
 - iii. Order Granados to pay both pre-judgment and post-judgment interest on all money awards as provided by law; and
 - iv. Grant all other and further relief Texas may show itself entitled to.

Respectfully submitted,

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ATTORNEYS FOR TEXAS

DECLARATION

Pursuant to Tex. Civ. Rem. & Prac. Code § 132.001(f), JOHNATHAN STONE submit this unsworn declaration in lieu of a written sworn declaration, verification, certification, oath, or affidavit required by Tex. R. Civ. P. 682. I am an employee of the following governmental agency: Texas Office of the Attorney General. I am executing this declaration as part of my assigned duties and responsibilities. I declare under penalty of perjury that the factual statements in the foregoing are true and correct.

Executed in Travis County, State of Texas, on the 29th day of October 2024.

/s/ Johnathan Stone
JOHNATHAN STONE
Chief, Consumer Protection Division
State Bar No. 24071779