



Frequently Asked Questions

Obtaining Gender-Affirming Health Care Outside the United States

As options contract for patients to access legal, safe, and affordable gender-affirming health care in the United States, some patients and their families are traveling to another country to obtain this care. Traveling to another country and returning is not a viable option for many people due to immigration status, finances, work or family responsibilities, disability, and so forth, but we present this information for the benefit of those Americans who are considering obtaining care abroad and whose privilege may allow them to do so.

Disclaimer: *The information provided in this document does not, and is not intended to, constitute legal advice; instead, all information, content, and materials available from this document and associated materials are for general informational purposes only. Information contained in any associated materials or website may not constitute the most up-to-date legal or other information. If your family needs legal advice you should promptly consult an attorney licensed in your state. Although we have tried our best to make sure the information provided here is accurate as of January 2026, we cannot guarantee its accuracy especially as the legal landscape on these issues continues to evolve rapidly.*

❖ **If I get a hormone prescription in another country, will I be able to fill it at an American pharmacy?**

It depends on the laws in your state. Your state regulates what license type providers need to be able to write a prescription that can be filled by a pharmacy in your state. This is typically regulated by the state's Pharmacy Board or a similar organization. For example, California pharmacies can only fill prescriptions written by prescribers licensed in California. (See Cal. Business & Professions Code § 4040(a)(2).) So, you will not be able to fill a hormone prescription from another country in California unless the out-of-country provider is licensed in California.

❖ **If I get a hormone prescription in another country and fill it there, will I be able to bring the medication back to the U.S.? Can I fill a prescription for a family member and bring it back to the U.S.? What about for someone else (not a family member)?**

Maybe. With limited exceptions that are unlikely to apply to hormones and puberty-suppressing medications, it is illegal to bring prescription drugs from other countries into the U.S. 21 U.S. Code § 381(d); see U.S. Customs & Border Protection, *Traveling with Medication to the United States* (2025), <https://www.help.cbp.gov/s/article/Article-1444>. However, enforcement at border crossings for individual baggage is focused on prescriptions "intended for commercial distribution," drugs that the "FDA has specifically requested be detained," and

drugs that appear “to represent a health fraud or an unknown risk to health.” U.S. Food & Drug Admin., Regulatory Procedures Manual § 9-2-3. Thus, people importing drugs for personal use may be eligible for a waiver, allowing them to bring medications obtained abroad into the U.S. 21 U.S.C. § 384(j). Be aware, however, that these waivers are provided at the discretion of the CBP and FDA. U.S. Food & Drug Admin., Regulatory Procedures Manual § 9-2-3. To obtain a waiver, you must declare the medication you are bringing into the country when you go through customs. Failing to declare medication can lead to delays and serious penalties, including confiscation of the medication, monetary fines (potentially thousands of dollars), and potentially arrest or denial of entry.

In addition, for people bringing medications for personal use into the U.S. from Canada are entitled to a non-discretionary waiver when the medication: is imported from a licensed pharmacy for personal use, with no more than a 90-day supply; is accompanied by a valid prescription; was sold by a registered seller; and meets any other criteria set by the FDA. 21 U.S.C. § 384(j)(3). There are additional limitations on the importation of testosterone, since it is a controlled substance in the United States. Generally, people will only be able to bring a maximum of 50 dosage units of testosterone prescribed by an out-of-country provider into the U.S. 21 C.F.R. § 1301.26.

The U.S. Customs & Border Protection (CBP) recommends that in all cases where you are attempting to bring a prescription medication into the U.S. that was prescribed by an out-of-country provider, you: declare the medication to the appropriate CBP official; carry the medication in its original container; import only an amount that is consistent with personal use of the medication (typically a 90 day supply); and carry a prescription or written statement in English from your provider explaining that the substances are used under medical supervision and are necessary for your health. U.S. Customs & Border Protection, *Traveling with Medication to the United States (2025)*, <https://www.help.cbp.gov/s/article/Article-1444>.

If you wish to fill a prescription in another country for a family member or friend in the U.S., you should also be aware of that locality’s rules for filling prescriptions for other individuals. Ask the out-of-country provider about the applicable rules before you travel, if possible.

❖ **Can I order medication for myself from another country to be sent to me in the U.S. by mail? How does that work? What about for a family member, or someone else?**

Maybe. With limited exceptions which are unlikely to hormones and puberty-suppressing medications, it is illegal to import prescription drugs from other countries into the U.S. by mail. 21 U.S.C. § 381(d); see U.S. Customs & Border Protection, *I Am A U.S. Citizen. Can I Have Medications Mailed to Me From Outside the United States? (2025)*, https://www.help.cbp.gov/s/article/Article-1815?language=en_US. However, the FDA may waive this prohibition for prescriptions sent to individuals in the U.S. from another country “when the quantity and purpose are clearly for personal use, and the product does not present an unreasonable risk to the user.” U.S. Food & Drug Admin., Regulatory Procedures Manual § 9-2-5; see 21 U.S.C. § 384(j). Be aware, however, that these waivers are provided at the discretion of the CBP and FDA. U.S. Food & Drug Admin., Regulatory Procedures Manual § 9-2-3. To obtain a waiver, the medication must be declared on the customs form that accompanies the parcel. A sender’s failure to declare medication sent by mail can result in the seizure of the medication, monetary fines (potentially thousands to tens of thousands of

dollars), and even jail time. Penalties may be applied to both the sender and the recipient, depending on the situation. If the CBP or FDA declines to provide a waiver of a drug sent to you by mail, they must provide you with written notice and an opportunity to dispute the decision. 21 U.S.C. § 381(a). In addition, people bringing medications for personal use into the U.S. from Canada are entitled to a non-discretionary waiver when the medication: is imported from a licensed pharmacy for personal use, with no more than a 90-day supply; is accompanied by a valid prescription; was sold by a registered seller; and meets any other criteria set by the FDA. 21 U.S.C. § 384(j)(3).

❖ **What are my rights when crossing an international border back into the US, and how can I best protect myself?**

Officers with CBP may legally stop and question people at airports and/or the border (“primary inspection”) to determine whether they are admissible to the United States, and they may search people’s belongings for contraband. This is true even if there is nothing suspicious about you or your luggage. The government believes this authority to search without individualized suspicion extends to searches of electronic devices such as laptops and cell phones, but that is a contested legal issue (see below). Officers are not legally supposed to select you for a personal search or secondary inspection based on your religion, race, national origin, gender, ethnicity, or political beliefs.

Your legal status in the country may inform what you decide to do if you are selected for longer questioning (“secondary inspection”) when entering the United States. U.S. citizens have the right to enter the United States, so if you are a U.S. citizen and the officers’ questions become intrusive, you can decline to answer those questions, but you should be aware that doing so may result in delay and/or further inspection. The same is true for lawful permanent residents who have maintained their status: you generally cannot be denied entry to the United States, but declining to answer questions may result in delay or further inspection. Refusal by non-citizen visa holders and visitors to answer questions may result in denial of entry.

If the officers’ questions become intrusive or improper, you can ask to speak to a supervisor or file a complaint after the fact. (This goes for citizens, lawful permanent residents, non-citizen visa holders, and visitors.)

Although CBP takes the position that you are not entitled to an attorney during primary and secondary inspection, you may wish to have with you the phone number of an attorney or legal services organization you know can provide rapid response support for problems at the border, and ask to contact them if you feel your rights are being violated or if you have been detained for an unusually long period.

For anyone attempting to enter the United States, if a customs officer or border agent informs you that you are under arrest, or if it becomes clear that they suspect you have committed a crime, you can ask to speak to a lawyer before answering any further questions — and if you wish to exercise your right to remain silent, you should say so out loud.

Visitors and lawful permanent residents are usually fingerprinted when entering the United States, and cannot opt out of this.

CBP has [published information here](#) about what items travelers are not allowed to bring with them into the United States.

❖ **What are my rights and obligations regarding searches of my electronic devices when entering the United States?**

Customs officers have sometimes asked travelers to provide their laptop passwords or unlock their mobile phones when entering (or leaving) the United States. Your legal status in the country may inform what you decide to do if you're asked for a password to unlock your device.

U.S. citizens cannot be denied entry to the United States for refusing to provide passwords or unlock devices. Refusal to do so might lead to delay, additional questioning, and/or officers seizing your device for further inspection.

The same should be true for those who have previously been admitted to the U.S. as lawful permanent residents and have maintained their status — their green cards can't be revoked without a hearing before an immigration judge.

Visa holders, however, run the risk of being denied entry if they refuse to provide a password, and should consider that risk before deciding how to proceed.

Unlocking a device yourself and handing it back to the officer is less risky than providing your password to the officer, especially if you have reused the same password for other digital devices or accounts.

If an officer searches and/or confiscates your laptop or cell phone, get a receipt for your property.

If you don't want federal agents snooping into private information stored on your electronic devices, you can help protect yourself by:

- Deleting sensitive data and uninstalling apps/accounts before you travel (but bear in mind that a forensic search of your device could still find “deleted” information and metadata about what has been saved and deleted)
- Turning off your device before reaching an inspection point, or at least putting it into airplane mode
- Using strong passwords (not biometrics) to secure your devices

The ACLU has published more information about navigating electronic device searches at airports and the border [here](#).

❖ **What should transgender, nonbinary, and intersex people in particular be aware of when traveling internationally and returning to the US?**

A 2025 Executive Order from President Trump instructed the U.S. Department of State to stop issuing anyone a passport with a gender marker different from their sex assigned at birth. Multiple lawsuits challenging this are pending, including a [class action](#) on behalf of all transgender, nonbinary, and intersex Americans who are seeking gender-appropriate passports, but as of January 2026 the discriminatory policy is in effect. You can check the

State Department's "[Sex Marker in Passports](#)" webpage and/or the ACLU's [Orr v. Trump FAQ](#) for updates on this situation. If you currently have a passport showing a gender marker different from your sex assigned at birth, it is valid until it expires.

If you currently have a passport that shows your sex assigned at birth and does not "match" your current identity and appearance, it is legal to travel using that passport. U.S. border agents, as well as authorities in the country you are visiting, may ask questions about your gender and appearance. If it would help you feel confident answering those questions and if you have these things, you may wish to carry another government-issued ID showing the correct gender marker and/or documentation of your medical transition, but these are not legally required.

The federal government no longer allows use of an "X" gender marker in the Advance Passenger Information System (APIS), a database used by the Department of Homeland Security to screen passengers entering or leaving the United States on an airplane or a ship. This means that when booking a ticket for these types of travel, you will likely be forced to select either an "M" or an "F" gender marker, even if you hold a valid passport with an "X." If an airline's booking interface still allows you to select "X", the federal database may reject that submission, so you may want to consider selecting an "M" or "F" to avoid issues and delays. When returning to the United States, a mismatch between the binary gender marker listed for you in APIS and the "X" on your passport may result in delays and additional questioning (see above), but it is not a valid reason to deny you entry. People leaving or entering the United States at a land border crossing do not have to submit information to APIS.

CBP is legally allowed to perform strip searches at the border only if there is "reasonable suspicion" that a particular traveler is doing or carrying something illegal. They are also legally required to perform any strip search in a private area.