

6835--A

I N S E N A T E

February 26, 2016

Introduced by Sen. LANZA -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to identification and assessment of human trafficking victims

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. The public health law is amended by adding a new section
2 2805-y to read as follows:
3 S 2805-Y. IDENTIFICATION AND ASSESSMENT OF HUMAN TRAFFICKING VICTIMS.
4 1. AS USED IN THIS SECTION:
5 (A) "HUMAN TRAFFICKING VICTIM" SHALL HAVE THE MEANING SET FORTH IN
6 SECTION FOUR HUNDRED EIGHTY-THREE-AA OF THE SOCIAL SERVICES LAW;
7 (B) "SUBJECT FACILITY" SHALL MEAN A GENERAL HOSPITAL, PUBLIC HEALTH
8 CENTER, DIAGNOSTIC CENTER, TREATMENT CENTER OR OUTPATIENT DEPARTMENT.
9 2. EVERY SUBJECT FACILITY SHALL PROVIDE FOR THE IDENTIFICATION,
10 ASSESSMENT, AND APPROPRIATE TREATMENT OR REFERRAL OF PERSONS SUSPECTED
11 AS HUMAN TRAFFICKING VICTIMS, AND IN THE CASE OF PERSONS UNDER EIGHTEEN
12 YEARS OLD, THE REPORTING OF SUCH PERSONS AS AN ABUSED OR MALTREATED
13 CHILD IF REQUIRED UNDER TITLE SIX OF ARTICLE SIX OF THE SOCIAL SERVICES
14 LAW. THE SUBJECT FACILITY SHALL ESTABLISH AND IMPLEMENT WRITTEN POLICIES
15 AND PROCEDURES UNDER THIS SECTION WHICH SHALL APPLY TO ALL SERVICE UNITS
16 OF THE SUBJECT FACILITY.
17 3. EVERY SUBJECT FACILITY SHALL REQUIRE ALL CURRENT AND NEW NURSING,
18 MEDICAL, SOCIAL WORK AND OTHER APPROPRIATE CLINICAL CARE PERSONNEL IN
19 ALL SERVICE UNITS OF THE SUBJECT FACILITY TO COMPLETE TRAINING REGARDING
20 THE POLICIES AND PROCEDURES ESTABLISHED UNDER THIS SECTION, INCLUDING
21 TRAINING IN THE RECOGNITION OF INDICATORS OF A HUMAN TRAFFICKING VICTIM
22 AND THE RESPONSIBILITIES OF SUCH PERSONNEL IN DEALING WITH PERSONS
23 SUSPECTED AS HUMAN TRAFFICKING VICTIMS. THE TRAINING SHALL BE OBTAINED
24 FROM AN INSTITUTION OR PROVIDER WHICH HAS BEEN APPROVED BY THE COMMIS-
25 SIONER TO PROVIDE SUCH TRAINING.

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets
[] is old law to be omitted.

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1 4. THE COMMISSIONER SHALL APPROVE INSTITUTIONS OR PROVIDERS TO PROVIDE
2 TRAINING UNDER THIS SECTION. THE COMMISSIONER MAY, IN CONSULTATION WITH
3 THE OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE AND THE OFFICE OF
4 CHILDREN AND FAMILY SERVICES, MAKE REGULATIONS UNDER THIS SECTION.

5 S 2. This act shall take effect one year after it shall have become a
6 law; provided however, that effective immediately, the commissioner of
7 health may make regulations and take other actions necessary to imple-
8 ment this act on its effective date.