S T A T E O F N E W Y O R K

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I N A S S E M B L Y

January 7, 2016

Introduced by M. of A. PAULIN, GOTTFRIED, DINOWITZ, CLARK, McDONOUGH, ARROYO, BLAKE, COLTON, COOK, CROUCH, HOOPER, LINARES, MOSLEY, OTIS, SEAWRIGHT, SIMON -- Multi-Sponsored by -- M. of A. HIKIND, STECK -- read once and referred to the Committee on Health

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

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

Section 1. The public health law is amended by adding a new section 2805-y to read as follows:

S 2805-Y. IDENTIFICATION AND ASSESSMENT OF HUMAN TRAFFICKING VICTIMS. 1. AS USED IN THIS SECTION:

(A) "HUMAN TRAFFICKING" SHALL HAVE THE MEANING SET FORTH IN SECTION FOUR HUNDRED EIGHTY-THREE-AA OF THE SOCIAL SERVICES LAW;

(B) "SUBJECT FACILITY" SHALL MEAN A GENERAL HOSPITAL, PUBLIC HEALTH CENTER, DIAGNOSTIC CENTER, TREATMENT CENTER OR OUTPATIENT DEPARTMENT.

2. EVERY SUBJECT FACILITY SHALL PROVIDE FOR THE IDENTIFICATION, ASSESSMENT, AND APPROPRIATE TREATMENT OR REFERRAL OF PERSONS SUSPECTED AS VICTIMS OF HUMAN TRAFFICKING, AND IN THE CASE OF PERSONS UNDER EIGHTEEN YEARS OLD, THE REPORTING OF SUCH PERSONS AS AN ABUSED OR MALTREATED CHILD AS REQUIRED UNDER TITLE SIX OF ARTICLE SIX OF THE SOCIAL SERVICES LAW. THE SUBJECT FACILITY SHALL ESTABLISH AND IMPLEMENT WRITTEN POLICIES AND PROCEDURES UNDER THIS SECTION WHICH SHALL APPLY TO ALL SERVICE UNITS OF THE SUBJECT FACILITY.

3. EVERY SUBJECT FACILITY SHALL REQUIRE ALL CURRENT AND NEW NURSING, MEDICAL, SOCIAL WORK AND OTHER APPROPRIATE CLINICAL CARE PERSONNEL IN ALL SERVICE UNITS OF THE SUBJECT FACILITY TO COMPLETE TRAINING REGARDING THE POLICIES AND PROCEDURES ESTABLISHED UNDER THIS SECTION, INCLUDING TRAINING IN THE RECOGNITION OF INDICATORS OF HUMAN TRAFFICKING AND THE RESPONSIBILITIES OF SUCH PERSONNEL IN DEALING WITH PERSONS SUSPECTED AS VICTIMS OF HUMAN TRAFFICKING. THE TRAINING SHALL BE OBTAINED FROM AN INSTITUTION OR PROVIDER WHICH HAS BEEN APPROVED BY THE COMMISSIONER TO PROVIDE SUCH TRAINING.

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

4. THE COMMISSIONER SHALL APPROVE INSTITUTIONS OR PROVIDERS TO PROVIDE TRAINING UNDER THIS SECTION. THE COMMISSIONER MAY MAKE REGULATIONS UNDER THIS SECTION.

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