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

8650--B

Cal. No. 487

I N A S S E M B L Y

January 7, 2016

Introduced by M. of A. PAULIN, GOTTFRIED, DINOWITZ, McDONOUGH, ARROYO, BLAKE, COLTON, COOK, CROUCH, HOOPER, LINARES, MOSLEY, OTIS, SEAWRIGHT, SIMON, GALEF, JAFFEE, WEPRIN -- Multi-Sponsored by -- M. of A. HIKIND, STECK -- read once and referred to the Committee on Health -- reported and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- passed by Assembly and delivered to the Senate, recalled from the Senate, vote reconsidered, bill amended, ordered reprinted, retaining its place on the order of third reading

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:

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 VICTIM" 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;

(C) "SUBJECT FACILITY PERSONNEL" SHALL MEAN NURSING, MEDICAL, SOCIAL WORK AND OTHER CLINICAL CARE PERSONNEL, AND SECURITY PERSONNEL IN THE SUBJECT FACILITY SERVICE UNITS; AND

(D) "SUBJECT FACILITY SERVICE UNITS" SHALL MEAN THE SERVICE UNITS OF THE SUBJECT FACILITY THAT INCLUDE THE FOLLOWING AREAS: (I) EMERGENCY SERVICES; (II) PEDIATRICS; (III) OBSTETRICS AND GYNECOLOGY; (IV) ORTHOPEDICS; (V) INTERNAL MEDICINE; (VI) FAMILY MEDICINE; (VII) RADIOLOGY; (VIII) SURGERY; (IX) PSYCHIATRY; AND (X) DENTAL SERVICES TO THE EXTENT THE SUBJECT FACILITY MAINTAINS A DENTAL CLINIC, CENTER OR DEPARTMENT ON SITE OF THE SUBJECT FACILITY.

2. EVERY SUBJECT FACILITY SHALL PROVIDE FOR THE IDENTIFICATION, ASSESSMENT, AND APPROPRIATE TREATMENT OR REFERRAL OF PERSONS SUSPECTED AS HUMAN TRAFFICKING VICTIMS, AND IN THE CASE OF PERSONS UNDER EIGHTEEN

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

LBD11993-04-6

YEARS OLD, THE REPORTING OF SUCH PERSONS AS AN ABUSED OR MALTREATED CHILD IF 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 SUBJECT FACILITY SERVICE UNITS.

3. EVERY SUBJECT FACILITY SHALL PROVIDE, ON AN ONGOING BASIS, TO ALL SUBJECT FACILITY PERSONNEL TRAINING REGARDING THE POLICIES AND PROCEDURES ESTABLISHED UNDER THIS SECTION, INCLUDING TRAINING IN THE RECOGNITION OF INDICATORS OF A HUMAN TRAFFICKING VICTIM AND THE RESPONSIBILITIES OF SUCH PERSONNEL IN DEALING WITH PERSONS SUSPECTED AS HUMAN TRAFFICKING VICTIMS. SUCH TRAINING MAY BE INCORPORATED AS PART OF THE SUBJECT FACILITY'S EXISTING TRAINING PROGRAMS, PROVIDED THAT THE TRAINING INCLUDES ALL OF THE REQUIREMENTS OF THIS SECTION.

4. THE COMMISSIONER MAY IDENTIFY ORGANIZATIONS OR PROVIDERS FOR CONSIDERATION BY SUBJECT FACILITIES TO PROVIDE TRAINING UNDER THIS SECTION. THE COMMISSIONER MAY, IN CONSULTATION WITH THE OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE AND THE OFFICE OF CHILDREN AND FAMILY SERVICES, 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.