

SUBJECT: Training on human trafficking for personnel of abortion facilities

COMMITTEE: State Affairs — committee substitute recommended

VOTE: 7 ayes — Cook, Craddick, Farney, Geren, Harless, Kuempel, Smithee

3 nays — Giddings, Farrar, Oliveira

2 absent — Huberty, Sylvester Turner

WITNESSES: For — Kathryn Freeman, Christian Life Commission; Terry Williams, Texas Alliance for Life; (*Registered, but did not testify*: Ann Hettinger, Concerned Women for America of Texas; Tanya Woynarowsky, Redeemed Ministries; Ruth Allwein, Erin Groff, and Joe Pojman, Texas Alliance for Life; Jennifer Allmon, The Texas Catholic Conference of Bishops; Frias)

Against — Frances Northcutt, Texas State NOW

On — Susan Hays, NARAL ProChoice Texas; Amy Harper, Department of State Health Services Division for Regulatory Services; Maya Pilgrim

BACKGROUND: Health and Safety Code, ch. 245 defines an “abortion facility” to mean a place where abortions are performed.

DIGEST: CSHB 416 would require certain personnel at facilities that provide abortion services to complete an educational and training program about human trafficking.

The executive commissioner of the Health and Human Services Commission (HHSC) by rule would require a person who was employed by, volunteered at, or performed services with an abortion facility or ambulatory surgical center that performed more than 50 abortions in any 12-month period and had direct contact with patients of the facility to undergo the training. A person who was hired, began volunteering, or began providing services under contract before September 1, 2015, would

not be required to comply with the training before September 1, 2016.

The bill would require the HHSC executive commissioner to develop by rule a one-time basic education and training program on human trafficking that:

- consisted of at least four hours of training; and
- included a review of offenses for human trafficking and compelled prostitution in Penal Code.

The Department of State Health Services would provide the training program developed by the HHSC executive commissioner or would approve training programs that met the requirements of the executive commissioner's developed training program. A list of these programs would be provided on the department's website. The HHSC executive commissioner would adopt the rules to develop the training program by December 1, 2015.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2015.

**SUPPORTERS
SAY:**

CSHB 416 would require abortion facility staff and certain volunteers who were uniquely situated to identify and assist victims of sex trafficking to be provided with training on how best to do so. According to the Texas Commission on Law Enforcement officer standards, one of the ways human traffickers control victims of human trafficking is by denial of contraceptives and forced abortion. Educating abortion facility staff and volunteers on human trafficking would help these individuals to identify and assist a person who was victimized by human trafficking if she came to an abortion facility.

The bill would minimize any burden to volunteers by requiring training on human trafficking only for volunteers who came into contact with patients. Volunteers who come into contact with patients at an abortion facility also may come into contact with human trafficking victims. The

training required under the bill would give these volunteers the information they need to identify and assist these individuals or to notify a staff member.

Texas law already requires all officers licensed by the Texas Commission on Law Enforcement to undergo training and education on human trafficking. The bill would ensure that staff and volunteers of abortion facilities received consistent training on human trafficking to identify and assist this specific population. Although some abortion facilities already require their staff to undergo similar training, the bill would ensure the training material was consistent. Extending training on human trafficking to other entities would be outside the scope of this bill.

OPPONENTS
SAY:

CSHB 416 would overly burden volunteers by requiring all volunteers who came into contact with patients to receive training on human trafficking. This could discourage them from volunteering to help at abortion facilities. While volunteers do come into contact with patients at abortion facilities, many are present at abortion facilities in a capacity such as voter registration that would not allow them access to a person's personal history or to identify human trafficking victims.

The bill should require only staff of abortion facilities, not volunteers, to complete the human trafficking training requirements. The four hours of training required for volunteers under the bill would be burdensome and the bill would not require that volunteers be compensated for their time spent in the training.

The bill also would overly burden abortion facility staff, who may already have undergone training on human trafficking, by adding additional regulations.

OTHER
OPPONENTS
SAY:

Requiring training on human trafficking for emergency medical providers in addition to training for abortion facility staff and volunteers would allow more victims of human trafficking to be reached because the Texas Commission on Law Enforcement officer standards says that one of the main elements used to control victims is physical violence.