

BILL ANALYSIS

Senate Research Center

H.B. 416
By: Riddle et al. (Campbell)
Health & Human Services
5/14/2015
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Interested parties assert that victims of human trafficking access health care services at various points of the state's health care system and often visit abortion facilities accompanied by a trafficker or pimp. The parties also assert that these victims sometimes seek an abortion when forced by a trafficker. Concerns have been raised that these women can slip through the system unnoticed because abortion facility workers do not know how to identify trafficked women and consequently miss an opportunity to rescue them. H.B. 416 seeks to equip abortion facility workers with the training to identify human trafficking victims.

H.B. 416 amends current law relating to requiring personnel of abortion facilities and certain other facilities performing abortions to complete training on human trafficking.

[**Note:** While the statutory reference in this bill is to the Texas Department of Health (TDH) the following amendments affect Department of State Health Services as the successor agency to TDH.]

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 1 (Section 171.082, Health and Safety Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 171, Health and Safety Code, by adding Subchapter E, as follows:

SUBCHAPTER E. EDUCATION AND TRAINING PROGRAMS ON TRAFFICKING OF PERSONS FOR CERTAIN FACILITY PERSONNEL

Sec. 171.081. APPLICABILITY. Provides that this subchapter applies to each person who:

- (1) is employed by, volunteers at, or performs services under contract with:
 - (A) an abortion facility licensed under Chapter 245 (Abortion Facilities); or
 - (B) an ambulatory surgical center licensed under Chapter 243 (Ambulatory Surgical Centers) that performs more than 50 abortions in any 12-month period; and
- (2) has direct contact with patients of the facility.

Sec. 171.082. EDUCATION AND TRAINING PROGRAMS ON TRAFFICKING OF PERSONS. (a) Requires the executive commissioner of the Health and Human Services Commission (executive commissioner) by rule to require a person described by Section

171.081 to complete within a reasonable time after beginning work at the facility a training program to identify and assist victims of human trafficking.

(b) Requires that a training program under this section use the standardized curriculum created by the human trafficking prevention task force under Section 402.035(d)(6) (relating to certain organizations developing a list of key indicators and a standard curriculum), Government Code.

(c) Requires the Texas Department of Health (TDH) to make available to each facility described by Sections 171.081(A) and (B) the training program required under this section.

SECTION 2. Requires the executive commissioner to adopt the rules required by Section 171.082, Health and Safety Code, as added by this Act, not later than December 1, 2015.

SECTION 3. Provides that a person described by Section 171.081, Health and Safety Code, as added by this Act, who is hired, begins volunteering, or begins providing services under contract before September 1, 2015, is not required to comply with Section 171.082, Health and Safety Code, as added by this Act, before September 1, 2016.

SECTION 4. Effective date: upon passage or September 1, 2015.