

## **BILL ANALYSIS**

Senate Research Center  
84R14352 JSC-D

C.S.S.B. 1873  
By: Campbell et al.  
Health & Human Services  
5/5/2015  
Committee Report (Substituted)

### **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. S.B. 1873 seeks to equip abortion facility workers with the training to identify human trafficking victims.

S.B. 1873 requires personnel of abortion facilities and certain other facilities performing abortions to complete training on human trafficking.

The substitute requires the Department of State Health Services to facilitate the training.

C.S.S.B. 1873 amends current law relating to requiring personnel of abortion facilities and certain other facilities performing abortion to complete training on human trafficking.

### **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 develop a one-time basic education and training program on the trafficking of persons that:

(1) consists of at least four hours of training; and

(2) includes a review of the substance of Sections 20A.02 (Trafficking of Persons) and 43.05 (Compelling Prostitution), Penal Code.

(b) Requires the Department of State Health Services (DSHS) to provide the training program under Subsection (a) or approve training programs that meet the requirements of Subsection (a) and provide a list of those programs on DSHS's Internet website.

(c) Requires the 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 the basic education and training program described by Subsection (a).

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.