AMWA PATH
PHYSICIANS AGAINST THE TRAFFICKING OF HUMANS

Human Trafficking Reporting Policies for California

SCAN ME

CALIFORNIA IS A MANDATED REPORTER OF HUMAN TRAFFICKING*

National Policies

Federal law **does** currently mandate reporting by healthcare providers of suspected human trafficking of patients **UNDER 18** (as child abuse per Child Abuse Prevention and Treatment Act); no mandated reporting for 18 and over.

Sex trafficking*: the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purpose of a commercial sex act that is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age*

Labor trafficking: *the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery*

Remember to consult with your patients about your concerns using trauma-informed care and respect patients' autonomy.

Doctors, nurses, and social workers are mandatory reporters of all violations of human rights. Providers must get patient permission to report or call if 18+; it is a violation of privacy rights to report without consent.

National Human Trafficking Hotline

Scan For: The Trafficking Victims Protection Act (TVPA) of 2000 and Jones Day: Human Trafficking and Health Care Providers: Legal Requirements for Reporting and Education

*State Policies

All ages: Requires a written abuse report mandated by the Welfare and Institutions Code to be submitted in one of the following ways:

1) Via a form adopted by the State Department of Social Services. This form can also be used for documenting telephone reports.
2) By a confidential internet reporting tool if the county or long-term care ombudsman program chooses to implement such a system.

The form must include: (1) name/address/phone number/occupation of person reporting (2) name/address of the victim (3) date/time/place of the incident (4) reporter's observations/beliefs concerning the incident; (5) victim's statement; (6) name of any other individuals involved; (7) name of the individuals believed to be responsible/ their connection to the victim.

Per Cal. Civ. Code §52.6, emergency rooms and urgent care centers are required to post the following with dimensions of 8.5"x11" and 16-point font: "If you or someone you know is being forced to engage in any activity and cannot leave-whether it is commercial sex, housework, farm work, construction, factory, retail, or restaurant work, or any other activity-text 233-733 (Be Free) or call the National Human Trafficking Hotline at 1-888-373-7888 or the California Coalition to Abolish Slavery and Trafficking (CAST) at 1-888-KEY-2-FRE(EDOM) or 1-888-539-2373 to access help and services." It must be printed in English, Spanish, and any other common language in the area.
For more information, please see: https://codes.findlaw.com/ca/civil-code/civ-sect-52-6/