AMWA PATH
PHYSICIANS AGAINST THE TRAFFICKING OF HUMANS

Human Trafficking Reporting Policies for Maryland

SCAN ME

MARYLAND 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

Under 18:

Maryland **does require immediate mandatory reporting** by all healthcare providers to the local department or appropriate law enforcement agency and to the head of the institution or designee of the head. An immediate oral report is mandatory, followed by submission of the DHR/SSA 180 form within 48 hours. A copy of the written reports must also be submitted to the local State's Attorney.

18 and over:

Maryland **does not mandate reporting** of trafficking of adults unless classified as "vulnerable" meaning they lack the physical or mental capacity to provide for their daily needs (1-800-917-7383). All other reporting should only be done with either patient consent or per HIPPA Privacy Rule regulations, if concern for imminent harm. Patients ages 18-24 qualify for the Safe Harbor Regional Navigator Grant Program. Refer to Maryland's Mandated Reporter Decision Tree: https://www.mhaonline.org/docs/default-source/resources/human-trafficking/maryland-mandated-reporter-decision-tree2.pdf?sfvrsn=2fbed60d_10