AMWA PATH
PHYSICIANS AGAINST THE TRAFFICKING OF HUMANS

Human Trafficking Reporting Policies for Massachusetts

SCAN ME

MASSACHUSETTS 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:

Massachusetts **does mandate reporting** by all healthcare professionals to the Massachusetts Department of Children and Families for any suspicion of abuse, sexual exploitation, or trafficking immediately by oral report and in written from **within 48 hours** of when suspicions arose. The report must contain: (1) the names/addresses of child and child's guardians, if known; (2) child's age; (3) child's sex; (4) nature and extent of the child's injuries, abuse, maltreatment or neglect, including any evidence of prior injuries, abuse, maltreatment or neglect; (5) circumstances under which the person required to report first became aware of abuse; (6) actions taken to treat, shelter or otherwise assist the child; (7) name of the person or persons making the report; (8) any other information that the person reporting believes might be helpful in establishing the cause of the injuries; (9) identity of the person or persons responsible for the neglect or injuries; and (10) other information required by the department.

18 and over:

Massachusetts **does not mandate reporting** for trafficking adults unless patient is a vulnerable adult protected under APS (call 800-922-2275). All other reporting should only be done with either patient consent or per HIPPA Privacy Rule regulations, if concern for imminent harm.