

The Role of the Physician in Florida's New Human Trafficking Laws

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The U.S. Government defines human trafficking as:

- *Sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age.*
- *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.*

This modern slave trade is a threat to all nations. A grave human rights abuse, it promotes breakdown of families and communities, fuels organized crime, deprives countries of human capital, undermines public health, creates opportunities for extortion and subversion among government officials, and imposes large economic costs.[1]

We all agree that human trafficking is a horrendous crime. But what are we doing about it? Beginning on January 1, 2021, healthcare professionals have new directives: educate and identify.

Approved by Florida Governor Ron DeSantis on June 26, 2019, Human Trafficking Bill, Chapter 2019-152, Laws of Florida (the "Bill"), addresses healthcare professionals licensed by the following Boards: Acupuncture, Medicine, Osteopathic Medicine, Chiropractic Medicine, Podiatric Medicine, Optometry, Pharmacy, Dentistry, Nursing Home Administration, Occupational Therapy, Dietetics and Nutrition, Respiratory Care, Massage Therapy, and Physical Therapy (collectively the "Boards").

Healthcare professionals licensed by the aforementioned Boards are required to complete one hour of continuing education on human trafficking and post a sign about human trafficking in their office by January 1, 2021.

The continuing education requirement indicates that each healthcare provider licensed by one of the Boards must complete a one hour continuing education course on human trafficking that has been specifically approved by their Board. The course, with a required completion date of January 1, 2021, will count towards the required continuing education for renewal. The

Bill does not require that this course be taken again for future renewal cycles.

By visiting the Florida Human Trafficking website provided by the Florida Department of Health (via FL HealthSource), you will be provided with links to course that meet this requirement as soon as they are approved by your licensing Board.

Each healthcare provider licensed by one of the Boards must post a sign regarding human trafficking in a "conspicuous place accessible to employees" by January 1, 2021. The sign must be at least 11 inches by 15 inches and in at least 32-point font. The sign must contain statutorily required language and be posted in English and Spanish. The Florida Department of Health has also provided Mandarin translations of these signs for use in offices where those languages are spoken. As with the course requirements, there are on FL HealthSource's website containing signs that meet the statutory requirements when printed at the listed size. The language in English is:

"If you or someone you know is being forced to engage in an activity and cannot leave, whether it is prostitution, housework, farm work, factory work, retail work, restaurant work, or any other activity, call the National Human Trafficking Resource Center at 888-373-7888 or text INFO or HELP to 233-733 to access help and services. Victims of slavery and human trafficking are protected under United States and Florida law."

You might be asking, "Why us?" Florida legislators have taken measures to raise awareness of the practices of human sex trafficking and of labor trafficking of children and adults in this state. Victims injured or made ill by these activities are often brought anonymously to health care providers for treatment, placing you, your employees, and patients in direct and frequent contact with victims of human trafficking. The signs and classes are aimed at sensitizing you, your employees and patients to the possibility that a trafficking victim may walk into your office needing you to recognize and report their situation to authorities.

For more information please contact Josh Bialek, Jeff Cecil, or any member of Porter Wright's Health Care Services Group.

[Note 1] From National Institute of Justice, "Overview of Human Trafficking and NIJ's Role" February 25, 2019

Human Trafficking Resources

FMA's Online Human Trafficking CME:
<https://bit.ly/2nxFJb2>

Free for FMA Members, \$25 for Non-Members

Florida Human Trafficking website:
<https://bit.ly/2Outhnu>

Human Trafficking Sign, English: <https://bit.ly/2Izk5dz>

Human Trafficking Sign, Spanish: <https://bit.ly/2onzfM4>