

2020 Regular Session

SENATE BILL NO. 363

BY SENATOR MIZELL

ABORTION. Provides for reporting requirements for training on human trafficking awareness and prevention. (8/1/20)

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AN ACT

To amend and reenact R.S. 40:2175.7, relative to human trafficking; to provide relative to human trafficking awareness and prevention training for mandatory reporters to law enforcement; to provide for certain documents evidencing completion of human trafficking awareness and prevention training; to provide for compliance; to provide for reports; to provide for transmittal; to provide for retention of documents; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:2175.7 is hereby amended and reenacted to read as follows:

§2175.7. Mandatory reports to law enforcement; human trafficking awareness and prevention training

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B.(1)(a) Beginning August 1, ~~2019~~ **2020**, every mandatory reporter to law enforcement shall, **within fourteen days of employment or entering into a contract or agreement to perform services at an outpatient abortion facility,** certify to the Louisiana Department of Health that ~~they have~~ **the mandatory reporter to law enforcement has** participated in a training on human trafficking

1 awareness and prevention.

2 (b) No later than January 15, 2021, and on an annual basis thereafter,  
3 every mandatory reporter to law enforcement shall certify to the Louisiana  
4 Department of Health that they have participated in a training on human  
5 trafficking awareness and prevention.

6 (c) The department shall maintain the name of each mandatory reporter to  
7 law enforcement as confidential, and such information shall not be subject to  
8 disclosure pursuant to the Public Records Law.

9 ~~(2) The Louisiana Department of Health shall promulgate rules to provide for~~  
10 ~~compliance of this Subsection utilizing~~ Compliance with this Subsection shall be  
11 accomplished by completing the online educational ~~videos~~ video on human  
12 trafficking awareness and prevention provided by the United States Department of  
13 Health and Human Services, Administration for Children and Families, office on  
14 trafficking in persons ~~or such training tools as may be adopted by the department.~~  
15 and the certificate of completion printed upon completion of the online  
16 educational video shall serve as proof of completion.

17 (3) Each outpatient abortion facility is responsible for ensuring that  
18 every mandatory reporter to law enforcement, whether an abortion facility staff  
19 member or an abortion facility professional, timely completes the training on  
20 human trafficking awareness and prevention required pursuant to this  
21 Subsection. The outpatient abortion facility shall comply with all of the  
22 following:

23 (a) No later than thirty days after completion of training by a person  
24 who is subject to the initial training requirements of Subparagraph (B)(1)(a) of  
25 this Section, the outpatient abortion facility shall electronically transfer to the  
26 Louisiana Department of Health the certificate of completion.

27 (b) No later than February 15, 2021, and on an annual basis thereafter,  
28 the outpatient abortion facility shall electronically transfer to the Louisiana  
29 Department of Health a copy of all certificates of completion for each person

1 **who is subject to the annual training requirements of Subparagraph (B)(1)(b)**  
2 **of this Section.**

3 **(c) Maintain a copy of each certificate of completion for each mandatory**  
4 **reporter to law enforcement in the individual employee's file or the individual**  
5 **abortion facility professional's contract or agreement file.**

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Carla S. Roberts.

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## DIGEST

SB 363 Original

2020 Regular Session

Mizell

Present law defines a "mandatory reporter to law enforcement" as any abortion facility staff member or any abortion facility professional. Present law defines an "abortion facility staff member" as an individual who is not an abortion facility professional but who is employed by or contracts with an outpatient abortion facility to provide services and who has any contact with patients at the facility. Present law defines an "abortion facility professional" as an individual who is a physician, surgeon, resident, intern, licensed nurse, nursing aide, emergency medical technician, or a paramedic who diagnoses, examines, or treats a female patient at an outpatient abortion facility.

Present law provides that beginning August 1, 2019, every mandatory reporter to law enforcement (outpatient abortion facility staff member or professional) will certify to the La. Dept. of Health that they have participated in training on human trafficking awareness and prevention on an annual basis. Present law further provides that the Dept. of Health shall promulgate rules and a form to provide for compliance with the training requirement in present law utilizing the online educational videos on human trafficking awareness and prevention provided by the U.S. Dept. of Health and Human Services, Administration for Children and Families, office on trafficking in persons.

Proposed law retains present law as it relates to the requirement that each mandatory reporter to law enforcement participate in training on human trafficking awareness and prevention on an annual basis but deletes the provisions in present law that require the Dept. of Health to promulgate rules and a form to report compliance.

Proposed law provides that, beginning August 1, 2020, every mandatory reporter to law enforcement will, within 14 days of becoming employed or entering into a contract or agreement to perform services at an outpatient abortion facility, certify to the La. Dept. of Health that the abortion clinic employee or professional has participated in a training on human trafficking awareness and prevention. Proposed law further provides that compliance with the training requirement will be accomplished by completing the online educational video on human trafficking awareness and prevention provided by the U.S. Dept. of Health and Human Services, Administration for Children and Families, office on trafficking in persons and the certificate of completion printed upon completion of the online educational video shall serve as proof of completion.

Proposed law provides that, no later than January 15, 2021, and on an annual basis thereafter, every mandatory reporter to law enforcement shall certify to the La. Dept. of Health that they have participated in a training on human trafficking awareness and prevention.

Proposed law provides that each outpatient abortion facility is responsible for ensuring that every mandatory reporter to law enforcement, whether an abortion facility staff member or

an abortion facility professional, timely completes the training on human trafficking awareness and prevention required pursuant to present law.

Proposed law provides that the outpatient abortion facility shall comply with all of the following:

- (1) No later than 30 days, shall electronically transfer the human trafficking prevention and awareness training certificate of completion by the new employee or new contractor to the La. Dept. of Health.
- (2) No later than February 15, 2021, and on an annual basis thereafter, the outpatient abortion facility shall electronically transfer to the La. Dept. of Health a copy of all certificates of completion for each employee or contractor.
- (3) Maintain a copy of each certificate of completion in the individual employee's file or the individual abortion facility professional's contract or agreement file.

Effective August 1, 2020.

(Adds R.S. 40:2175.7)