

ONE HUNDRED THIRTEENTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE
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WASHINGTON, DC 20515-6115

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MEMORANDUM

September 10, 2014

To: Subcommittee on Health Democratic Members and Staff

Fr: Committee on Energy and Commerce Democratic Staff

Re: Hearing on “Examining H.R. ___, the Trafficking Awareness Training for Health Care Act of 2014.”

The Subcommittee on Health will hold a hearing on Thursday, September 11, 2014, at 9:15 a.m. in 2123 Rayburn House Office Building. The hearing is entitled “Examining H.R. ___, the Trafficking Awareness Training for Health Care Act of 2014.” The following memo supplements the information provided in the Republican memo circulated on September 9, 2014.

I. BACKGROUND

Under the Trafficking Victims Protection Act, a severe form of trafficking in persons is defined as “(A) 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; or (B) 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.”¹

It is hard to determine the number of individuals trafficked within the US and around the world. The International Labour Organization estimates that more than 20 million individuals are victims of forced labor and sex trafficking worldwide.²

¹ Pub. L. No. 106-386.

² Office for Victims of Crime, *Federal Strategic Action Plan on Services for Victims of Human Trafficking in the United States, 2013-2017* (Jan. 2014) (online at www.ovc.gov/pubs/FederalHumanTraffickingStrategicPlan.pdf).

II. FEDERAL STRATEGIC ACTION PLAN ON SERVICES TO VICTIMS OF HUMAN TRAFFICKING

In January 2014, the administration released the *Federal Strategic Action Plan on Services for Victims of Human Trafficking in the United States*. Multiple departments and agencies led by the Department of Justice, the Department of Homeland Security, and the Department of Health and Human Services (HHS) agreed upon goals and specific actions that the federal government will take to better identify victims of human trafficking in the United States and ensure that these individuals have access to the services that they need.³

Some of the specific commitments that HHS makes under this plan include exploring new data collection strategies to better estimate the prevalence of trafficking in the US, considering the development of standardized health care protocols for intake and care for potential victims of human trafficking, and forming a technical working group of health care professionals to identify opportunities for increased training and collaboration to better identify and serve trafficking victims.⁴

III. SOAR TO HEALTH AND WELLNESS PROGRAM

To address some of the action items that HHS committed to in the federal strategic action plan, the Administration for Children and Families (ACF) has launched the Stop, Observe, Ask, and Respond (SOAR) to Health and Wellness program. With the assistance of a technical working group that includes physicians, nurses, advocacy groups, and survivors, ACF developed a pilot training to enhance healthcare professionals' knowledge of human trafficking. The curriculum focuses on understanding the scope and types of trafficking in the United States, recognizing common indicators and risk factors for trafficking, using trauma-informed techniques to interact with potential victims, and identifying service referrals for patients. Training attendees will also participate in follow-up evaluations to help ACF assess the effectiveness of the program.⁵

The SOAR to Health and Wellness pilot trainings are occurring throughout September in California, Texas, North Dakota, Georgia, and Massachusetts.⁶

³ Office for Victims of Crime, *Federal Strategic Action Plan on Services for Victims of Human Trafficking in the United States, 2013-2017* (Jan. 2014) (online at www.ovc.gov/pubs/FederalHumanTraffickingStrategicPlan.pdf).

⁴ *Id.*

⁵ Administration for Children & Families, *SOAR to Health and Wellness Training* (accessed Sept. 8, 2014) (online at www.acf.hhs.gov/programs/endtrafficking/initiatives/soar).

⁶ Administration for Children & Families, *SOAR to Health and Wellness Training Pilot Sites* (accessed Sept. 8, 2014) (online at www.acf.hhs.gov/programs/endtrafficking/initiatives/soar/pilot-sites).

IV. ADDITIONAL HHS INITIATIVES

HHS's Anti-Trafficking in Persons program, run by the Office of Refugee Resettlement within ACF, provides assistance to foreign trafficking victims in the United States.⁷ The program runs the Rescue and Restore Campaign, an initiative launched in 2004 that has supported the development of local networks to address the needs of victims, and established tool kits for health care providers, social service organizations, and law enforcement officials who are likely to come into contact with victims of trafficking.⁸

The Administration for Children and Families also funds the National Human Trafficking Resource Center (NHTRC), a 24-hour hotline and website to assist victims of trafficking, social service agencies, medical professionals, and other community members with crisis intervention, service referrals, and reporting to appropriate local, State and federal authorities. The NHTRC provides training and technical assistance on topics including child trafficking, victim identification, public awareness and outreach activities, available services for trafficking victims, and federal and state anti-trafficking laws.⁹

In its FY 2015 budget request, ACF maintains funding for foreign victims of trafficking in the US at the FY 2014 level and increases funding for assistance to victims of human trafficking who are US citizens and legal permanent residents by \$8.2 million. This funding would allow ACF to provide additional training and technical assistance to professionals who may encounter trafficking victims, including doctors, police officers, court personnel, teachers, and child welfare staff; expand the 24-hour hotline run by the National Human Trafficking Resource Center; expand grants to state, local, and tribal governments and non-profit organizations to improve case management and the coordination of services for victims of human trafficking; and issue new grants to establish housing solutions for young trafficking victims who are runaways, homeless, or in the foster care system.¹⁰

V. H.R. ____, THE TRAFFICKING AWARENESS TRAINING FOR HEALTH CARE ACT OF 2014

Rep. Renee Ellmers (R-NC) is the sponsor of the Trafficking Awareness Training for Health Care Act of 2014. The bill directs the Administrator for the Agency for Healthcare Research and Quality (AHRQ) to award a grant to a school of medicine or nursing to develop best practice guidelines and training materials for health care professionals to recognize and

⁷ Office for Refugee Resettlement, *Anti-Trafficking in Persons* (accessed Sept. 8, 2014) (online at www.acf.hhs.gov/programs/orr/programs/anti-trafficking).

⁸ Office of Refugee Resettlement, *Rescue & Restore Victims of Human Trafficking* (Aug. 16, 2012) (online at www.acf.hhs.gov/programs/orr/resource/about-rescue-restore).

⁹ Office of Refugee Resettlement, *About the National Human Trafficking Resource Center* (Apr. 5, 2013) (online at www.acf.hhs.gov/programs/orr/resource/about-the-national-human-trafficking-resource-center-nhtrc).

¹⁰ Department of Health and Human Services, *Fiscal Year 2015 Administration for Children and Families Justification of Estimates for Appropriations Committees* (online at www.acf.hhs.gov/sites/default/files/olab/fy_2015_congressional_budget_justification.pdf).

respond to victims of a severe form of trafficking. These best practices would cover indicators to recognize victims, the application of Federal and State law, the requirements of privacy and security law including HIPAA, the management of medical records, public and private social services available for referrals, hotlines for reporting human trafficking, and assessment tools to recognize victims. The grantee would then design, implement, and evaluate a pilot program using these best practices and training materials at sites in each of the 10 administrative regions of HHS.

VI. WITNESSES

Panel I

Katherine Chon

Senior Advisor on Trafficking in Persons

Administration for Children and Families, Department of Health and Human Services

Panel II

Laura J. Lederer

Director, Bastian Center for the Study of Human Trafficking

Indiana Wesleyan University

Ken Miller, Ph.D.

President

American Association of Nurse Practitioners

Vednita Carter

Founder and Executive Director

Breaking Free

Hanni Stoklosa, M.D.

Co-Founder of HEAL Trafficking

Emergency Physician, Bingham and Women's Hospital