

BILL ANALYSIS

Senate Research Center
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H.B. 2059
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Health & Human Services
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Human trafficking is a public health concern that affects individuals, families, and entire communities across generations, and Texas is second in the country in reported cases of human trafficking. Victims of human trafficking are often unable or unwilling to self-identify. Approximately 80 percent of human trafficking victims are women, and health care providers are often the first professionals to have contact with trafficked women and girls. A 2014 study found that an overwhelming majority of sex trafficking survivors reported having some type of contact with a health care provider while they were being trafficked, typically someone in a hospital or emergency room. Even conservative estimates report that about one in three trafficked persons accesses medical services at some point during their exploitation.

Health care providers are in a unique position to identify victims, and it is essential that they are properly trained on how to identify and assist trafficking victims.

H.B. 2059 would equip health care practitioners who provide direct patient care with the training needed to help detect potential victims of human trafficking and provide them with adequate care, including referring them to additional support services. Ensuring that health care providers are knowledgeable and adequately prepared is vital in combatting human trafficking in Texas.

H.B. 2059 amends current law relating to required human trafficking prevention training as a condition of registration permit or license renewal for certain health care practitioners.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Medical Board in SECTION 2 (Section 156.060, Occupations Code) of this bill.

Rulemaking authority is expressly granted to the Texas Board of Nursing in SECTION 3 (Section 301.308, Occupations Code) of this bill.

Rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 4 of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subtitle A, Title 3, Occupations Code, by adding Chapter 116, as follows:

CHAPTER 116. TRAINING COURSE ON HUMAN TRAFFICKING PREVENTION

Sec. 116.001. DEFINITIONS. Defines "commission" as the Health and Human Services Commission (HHSC), defines "executive commissioner" as the executive commissioner of HHSC (executive commissioner), and defines "health care practitioner" for purposes of this chapter.

Sec. 116.002. REQUIRED TRAINING COURSE ON HUMAN TRAFFICKING PREVENTION FOR CERTAIN HEALTH CARE PROVIDERS. (a) Requires a health care practitioner, other than a physician or nurse, within the time prescribed by HHSC

rule to successfully complete a training course approved by the executive commissioner on identifying and assisting victims of human trafficking.

(b) Requires the executive commissioner to:

(1) approve training courses on human trafficking prevention, including at least one course that is available without charge; and

(2) post a list of the approved training courses on HHSC's Internet website.

(c) Requires the executive commissioner to update the list of approved training courses described by Subsection (b) as necessary and consider for approval training courses conducted by health care facilities.

Sec. 116.003. **REQUIRED TRAINING FOR LICENSE RENEWAL.** Requires a health care practitioner, other than a physician or nurse, to successfully complete a training course described by Section 116.002 as a condition for renewal of a license issued to the health care practitioner under this title (Health Professions).

SECTION 2. Amends Subchapter B, Chapter 156, Occupations Code, by adding Section 156.060, as follows:

Sec. 156.060. **CONTINUING EDUCATION IN HUMAN TRAFFICKING PREVENTION.** (a) Requires a physician licensed under this subtitle (Physicians) who submits an application for renewal of a registration permit and who designates a direct patient care practice to complete, as part of the hours of continuing medical education required for compliance with Section 156.051(a)(2) (relating to requiring the Texas Medical Board (TMB) to adopt and administer rules that require at least one-half of the hours of continuing medical education to be TMB approved), a human trafficking prevention course approved by the executive commissioner under Section 116.002.

(b) Requires TMB to designate the human trafficking prevention course required by Subsection (a) as a medical ethics or professional responsibility course for purposes of complying with continuing medical education required by Section 156.051(a)(2).

(c) Requires TMB to adopt rules to implement this section.

SECTION 3. Amends Subchapter G, Chapter 301, Occupations Code, by adding Section 301.308, as follows:

Sec. 301.308. **CONTINUING EDUCATION IN HUMAN TRAFFICKING PREVENTION.** (a) Requires a license holder who provides direct patient care, as part of a continuing competency program under Section 301.303 (Continuing Competency), to complete a human trafficking prevention course approved by the executive commissioner under Section 116.002.

(b) Requires the Texas Board of Nursing to adopt rules to implement this section.

SECTION 4. Requires the executive commissioner, as soon as practicable after the effective date of this Act, to approve and post on HHSC's Internet website the list of approved human trafficking prevention training courses and adopt rules necessary to implement Chapter 116, Occupations Code, as added by this Act.

SECTION 5. (a) Requires the applicable licensing agency, as soon as practicable after the effective date of this Act, to provide notice to a health care practitioner of the human trafficking prevention training required under Chapter 116, Occupations Code, as added by this Act.

(b) Provides that, notwithstanding Section 116.002, Occupations Code, as added by this Act, a health care practitioner is not required to comply with that section before September 1, 2020.

SECTION 6. Makes application of Sections 156.060 and 301.308, Occupations Code, as added by this Act, prospective to September 1, 2020.

SECTION 7. Effective date: September 1, 2019.