

HUMAN TRAFFICKING HEALTH ADVISORY BOARD

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Senate Bill 596 (Substitute S-3)

Sponsor: Sen. Dave Robertson

House Committee: Criminal Justice

Senate Committee: Families, Seniors and Human Services

Complete to 11-10-14

A SUMMARY OF SENATE BILL 596 AS PASSED BY THE SENATE 10-2-14

The bill would create the Human Trafficking Health Advisory Board Act, prescribe board membership, and establish duties and responsibilities of the board. The bill is tie-barred to House Bill 5158, which became Public Act 325 of 2014. House Bill 5158 creates the Human Trafficking Commission Act.

Senate Bill 596 creates a new act – the Human Trafficking Health Advisory Board Act. "Human trafficking" means a violation of Chapter LXVIIA of the Michigan Penal Code. The seven-member Human Trafficking Health Advisory Board would be created as an autonomous entity within the Department of Community Health (DCH).

Board membership would comprise the directors of the Community Health Department and the Human Services Department, or their designees, and the following members appointed by the governor:

- One individual from a list of three names submitted by the Senate Majority Leader and one from a list of three names submitted by the Speaker of the House of Representatives.
- One individual who has experience and expertise in the field of intervention or prevention of human trafficking or treatment of human trafficking survivors.
- Two individuals who are human trafficking survivors.

Board duties

The bill would task the Board with the following responsibilities:

- Collect and analyze information regarding human trafficking in Michigan.
- Identify federal and state and local agencies (within Michigan and other states) involved with human trafficking issues, and coordinate the dissemination of information concerning medical and mental health services available to survivors of human trafficking in Michigan.
- Meet annually with local health agencies to review existing services available to assist survivors, including crime victim assistance, health care, and legal

assistance, and establish a program to make those survivors better aware of available services.

- Establish a program to improve public awareness of medical and mental health services available to survivors of human trafficking in the state.
- Review existing state laws and administrative rules relating to health policies affecting survivors of human trafficking, and make recommendations to the Legislature and state agencies to improve those laws and rules to address medical and mental health services available to survivors of human trafficking in the state.
- Require an annual report to be filed not later than February 1 of each year with the chairs of the Senate and House of Representatives committees concerned with health policy.

Miscellaneous provisions

- Members would serve four-year terms or until a successor was appointed, whichever is later. The bill provides for filling vacancies and removal of a member by the governor for incompetence, dereliction of duty, or other good cause.
- The first meeting would have to be called within 180 days of the bill's effective date, with the governor appointing the chairperson before the first meeting.
- Board members would elect a vice-chairperson and other officers as necessary or appropriate; an officer's term would be one year and the officer could be reelected.
- Meetings would be at least quarterly; conducted in compliance with the Open Meetings Act; and writings prepared, owned, used, in the possession of, or retained by the board in the performance of an official function would be subject to the Freedom of Information Act.
- Members would serve without compensation, but could be reimbursed for their actual and necessary expenses incurred in the performance of their official duties.

FISCAL IMPACT:

Senate Bill 596 (S-3) as passed by the Senate, will increase costs for the Michigan Department of Community Health (DCH) to establish and support a new Human Trafficking Health Advisory Board, and new statewide and local initiatives of the Board to identify, publicize, and enhance medical and mental health services for survivors of human trafficking. Board members will not be compensated, but may be reimbursed for expenses.

New funding of \$200,000 GF/GP for efforts to combat human trafficking is included in the DCH budget for the current fiscal year, FY 2014-15, pursuant to the June 2014 Leadership Budget Target Agreement. Although not explicitly stated during the budget process, this funding appears to be compatible with the programs and purposes of SB 596. This funding would be sufficient to support the Board and start-up of programs

required by the bill, including statewide public awareness of services available; however, it may not be sufficient to fully develop these programs. If DCH costs to support the Board and its initiatives exceed the \$200,000 of presumed funding available, the department will be required to perform these functions within its existing budget, and/or reduce programming in other areas.

The bill may have modest cost implications for local health departments and agencies, which may be asked to meet annually with the Board to review local services available.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.