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Senate Bill 592 (as introduced 10-31-13)

(Senate-passed version)

Sponsor: Senator John Proos

Committee: Families, Seniors and Human Services

Date Completed: 1-29-14

CONTENT

The bill would amend the Social Welfare Act to indicate that a victim of a human trafficking violation could receive medical assistance benefits for psychological and medical treatment as a result of injuries sustained from the violation.

The bill would define "human trafficking violation" as a violation of Chapter 67A of the Michigan Penal Code. Violations of Chapter 67A include:

- Knowingly subjecting or attempting to subject another person to forced labor or services by causing, or threatening, physical harm to another person.
- Knowingly subjecting or attempting to subject another person to forced labor or services by physically restraining or threatening to physically restrain another person.
- Knowingly subjecting or attempting to subject another person to forced labor or services by abusing or threatening to abuse the law or legal process.
- Knowingly subjecting or attempting to subject another person to forced labor or services by knowingly destroying, concealing, removing, confiscating, or possessing an actual or purported passport or other immigration document, or other government identification document, of another person.
- Knowingly subjecting or attempting to subject another person to forced labor or services by using blackmail, using or threatening to cause financial harm to, or exerting or threatening to exert financial control over another person.
- Knowingly recruiting, enticing, harboring, transporting, providing, or obtaining by any means, or attempting to recruit, entice, harbor, provide, or obtain by any means, a minor knowing that the minor will be used for child sexually abusive activity.
- Knowingly a) recruiting, enticing, harboring, transporting, providing, or obtaining by any means, or attempting to recruit, entice, harbor, transport, provide, or obtain by any means, another person, intending or knowing that the person will be subjected to forced labor or services, or b) benefiting financially or receiving anything of value from participating in a venture that has engaged in one of these violations.
- Knowingly providing or obtaining the labor or services of another person by force, fraud, or coercion.
- Knowingly recruiting, harboring, transporting, providing, or obtaining a person for labor or services for the purpose of holding that person in involuntary servitude or debt bondage.

The Social Welfare Act requires the Department of Community Health to establish a program for medical assistance for the medically indigent under Title 19 (Medicaid) of the Federal Social Security Act. Under the bill, a victim of any of the violations listed above could receive medical assistance benefits from the Department under that program.

FISCAL IMPACT

A person's eligibility for Medicaid is determined based on income, assets, and other eligibility criteria. Status as a victim does not affect the eligibility determination. Furthermore, the bill's language is permissive. Therefore, the bill would have no fiscal impact on State or local government.

Fiscal Analyst: Steve Angelotti