



Senate Fiscal Agency  
P. O. Box 30036  
Lansing, Michigan 48909-7536

## BILL ANALYSIS



Telephone: (517) 373-5383  
Fax: (517) 373-1986

Senate Bill 597 (as enacted)  
Sponsor: Senator Rebekah Warren  
Senate Committee: Families, Seniors and Human Services  
House Committee: Criminal Justice

**PUBLIC ACT 343 of 2014**

Date Completed: 1-22-15

**CONTENT**

**The bill amended the Public Health Code to require the Department of Licensing and Regulatory Affairs to establish training standards for identifying human trafficking victims.**

Previously, under the Code, boards were responsible for promulgating rules to establish standards for the education and licensure of health professionals. The bill gives that power to the Department, in consultation with the boards.

The bill requires the Department to adopt rules that include training standards for identifying victims of human trafficking for individuals licensed under Article 15 of the Code, except those licensed under Part 188. The bill also requires that rules promulgated by the task force on physician's assistants include training standards for identifying victims of human trafficking.

(Article 15 applies to occupations regulated under the Code. Part 188 pertains to occupations relating to veterinary medicine.)

Both sets of rules must be adopted within two years after the effective date of the bill. The training standards will apply for a license or registration renewal beginning with the first renewal cycle after the rules are promulgated and for an initial license or registration issued five or more years after the rules are promulgated.

MCL 333.16148 & 333.17060

**BACKGROUND**Human Trafficking

Human trafficking under Michigan law is a class of criminal offenses involving the recruitment, transportation, or provision of a person for the purposes of forced labor or services (labor trafficking) or commercial sex acts (sex trafficking). Despite media and news reports portraying human trafficking as a foreign or out-of-state concern, these crimes are reported in this State with some frequency. Michigan is believed to be a destination for foreign and domestic human trafficking for several reasons.<sup>1</sup> The State's border crossings

<sup>1</sup> "An Overview of Human Trafficking in the U.S. and Michigan", p. 3, Senate Fiscal Agency *State Notes: Topics of Legislative Interest*, Spring 2014.

into Canada allow traffickers convenient entry into the United States. Likewise, the interstate system that runs through Michigan allows traffickers to bring their victims from other states. In addition, the financial hardships suffered by economically depressed areas such as Flint and Detroit make enforcement of the laws pertaining to human trafficking difficult.

### Medical Issues & Signs of Human Trafficking

Physical and mental abuse, prolonged confinement, neglect, and malnourishment often affect victims of human trafficking. Any of these conditions could result in a victim's being taken to a clinic or hospital for treatment. Victims tend to display certain indicators useful in recognizing human trafficking activity. Injuries to victims may include burns, cuts, bruises, scars, broken bones, or other symptoms of physical abuse, drug or alcohol addiction, sexually transmitted infections, malnourishment, or prolonged infection or poor health that could be readily detected by routine medical examinations.<sup>2</sup> There also may be signs of mental abuse or stress, such as suicidal ideation, post-traumatic stress disorder, or depression. Victims or individuals accompanying victims may exhibit other general indicators. These include not having legal documentation or using false identification, avoiding eye contact, exhibiting a sense of hyper-vigilance, tension, or loss of sense of time.<sup>3</sup>

In Michigan, the Legislature, the Governor, and the Attorney General collaborated to form the Michigan Commission on Human Trafficking, a group composed of law enforcement officers, legislators, human trafficking activist organizations, and academics for the purpose of assessing the threat of human trafficking and developing a strategy to combat it. The Commission's 2013 report set forth a number of findings, strategies, and legislative recommendations to reduce human trafficking in this State, including guidelines pertaining to medical professionals.<sup>4</sup>

Legislative Analyst: Jeff Mann

### **FISCAL IMPACT**

The bill will have a minor, but likely negative, fiscal impact on the Department of Licensing and Regulatory Affairs and no fiscal impact on local units of government. New costs introduced by the bill will consist primarily of revisions to administrative rules regarding the regulation of health professions.

Fiscal Analyst: Josh Sefton

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<sup>2</sup> "Identifying Victims of Human Trafficking: What to Look for During a Medical Exam/Consultation", *National Human Trafficking Resource Center Newsletter*, 11-15-2011, retrieved 8-18-2014 at: [http://act.polarisproject.org/o//5417/t/0/blastContent.jsp?email\\_blast\\_KEY=1184274](http://act.polarisproject.org/o//5417/t/0/blastContent.jsp?email_blast_KEY=1184274).

<sup>3</sup> *Id.*

<sup>4</sup> Michigan Commission on Human Trafficking, *2013 Report on Human Trafficking*, 37, retrieved 8-18-2014 at: [http://michigan.gov/documents/ag/2013\\_Human\\_Trafficking\\_Annual\\_Report\\_439271\\_7.pdf?20140403122710](http://michigan.gov/documents/ag/2013_Human_Trafficking_Annual_Report_439271_7.pdf?20140403122710).

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