

ASSEMBLY, No. 2651

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Assemblywoman SHANIQUE SPEIGHT

District 29 (Essex)

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

Co-Sponsored by:

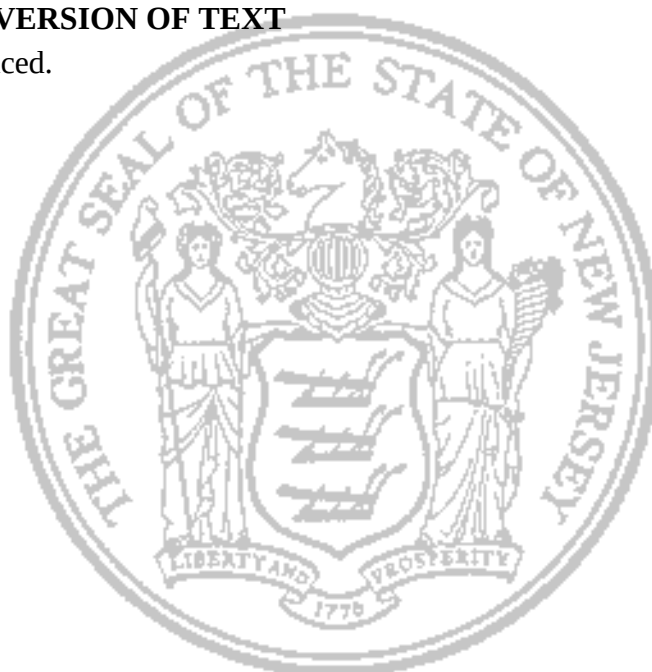
Assemblywoman McKnight

SYNOPSIS

Requires DOH to include certain response protocols in training course for employees of health care facilities regarding suspected human trafficking activities.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/5/2021)

1 AN ACT concerning the identification of suspected human
2 trafficking activities in health care facilities and amending
3 P.L.2014, c.19.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. Section 19 of P.L.2013, c.19 (C.2C:13-11) is amended to
9 read as follows:

10 19. a. The Police Training Commission, in consultation with the
11 Attorney General and the Director of the Division of Criminal
12 Justice in the Department of Law and Public Safety, shall develop
13 and approve, as part of the police training courses required pursuant
14 to P.L.1961, c.56 (C.52:17B-66 et seq.), courses of study on the
15 handling, response procedures, investigation, and prosecution of
16 human trafficking cases. These courses shall be reviewed at least
17 every two years and modified from time to time as need may
18 require.

19 b. (1) The Department of Community Affairs, in consultation
20 with the Commission on Human Trafficking established by section
21 1 of P.L.2013, c.51 (C.52:17B-237), shall develop, approve, and
22 provide for a one-time training course on the handling and response
23 procedures of suspected human trafficking activities for owners,
24 operators, and staff of hotels and motels as defined in the "Hotel
25 and Multiple Dwelling Law," P.L.1967, c.76 (C.55:13A-1 et seq.);
26 or alternatively, the department, in consultation with the
27 commission, shall approve a substantially similar one-time training
28 course for use by hotels and motels in providing training to owners,
29 operators, and staff. The department, in consultation with the
30 commission, shall define by regulation which staff positions are
31 required, as a condition of employment, to attend the one-time
32 training course. Verifiable completion of the training course by
33 required staff shall be a condition of issuance, maintenance, or
34 renewal of any license, permit, certificate, or approval required,
35 permitted to be granted, or issued to owners or operators under the
36 provisions of the "Hotel and Multiple Dwelling Law," P.L.1967,
37 c.76 (C.55:13A-1 et seq.). The training course shall be reviewed at
38 least every two years and modified by the department, in
39 consultation with the commission, from time to time as need may
40 require.

41 (2) The Department of Community Affairs, through its oversight
42 and enforcement authority provided under the "Hotel and Multiple
43 Dwelling Law," P.L.1967, c.76 (C.55:13A-1 et seq.), shall be
44 responsible for ensuring that all hotel and motel owners, operators,
45 and required staff attend the one-time training course within one

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 year of the enactment of this section in the case of all current
2 owners, operators, and required staff engaging in their respective
3 profession on the effective date of this section, and within six
4 months of the first day of ownership, operation, or employment for
5 all new owners, operators, and required staff who initially engage in
6 their respective profession on a date that follows the effective date.

7 (3) The Department of Community Affairs shall make available
8 the training materials for the one-time training course to hotel and
9 motel owners, operators, and required staff in order for the owners,
10 operators, and required staff to fulfill the one-time training
11 requirement set forth in this subsection.

12 c. (1) The Department of Health, in consultation with the
13 Commission on Human Trafficking established by section 1 of
14 P.L.2013, c.51 (C.52:17B-237), shall develop, approve, and provide
15 for a one-time training course on the handling and response
16 procedures of suspected human trafficking activities for employees
17 of every licensed health care facility as defined in section 2 of
18 P.L.1971, c.136 (C.26:2H-2), including those professionals whose
19 professional practice is regulated pursuant to Title 45 of the Revised
20 Statutes; or alternatively, the department, in consultation with the
21 commission, shall approve for use a substantially similar one-time
22 training course provided by a recognized Statewide nonprofit
23 healthcare trade association with demonstrated experience in
24 providing course offerings to health care facility employees on
25 similar workplace matters. The training course shall include
26 protocols for employees to follow upon identifying suspected
27 human trafficking activities that include, but need not be limited to:
28 offering a suspected victim a referral to the appropriate counseling
29 or social services, recording as much information about a victim as
30 possible, and reporting the incident and any recorded information to
31 the New Jersey Human Trafficking Hotline. These protocols shall
32 discuss appropriate responses when a suspected victim resists help
33 or demonstrates fear that shared information will lead to arrest,
34 placement in social services, return to family, or retribution from
35 trafficker.

36 The department, in consultation with the commission and the
37 approved nonprofit course provider, if any, shall define by
38 regulation which employees are required, as a condition of their
39 employment, to attend the one-time training course. Verifiable
40 completion of the training course by required employees shall be a
41 condition of issuance, maintenance, or renewal of any license,
42 permit, certificate, or approval required, permitted to be granted, or
43 issued to licensed health care facilities under the provisions of
44 P.L.1971, c.136 (C.26:2H-1 et al.). The training course shall be
45 reviewed at least every two years and modified by the department,
46 in consultation with the commission and the approved nonprofit
47 course provider, if any, from time to time as need may require.

1 (2) The Department of Health, through its oversight and
2 enforcement authority provided under P.L.1971, c.136 (C.26:2H-1
3 et al.), shall be responsible for ensuring that all required employees
4 of licensed health care facilities attend the one-time training course
5 within one year of the enactment of this section in the case of all
6 current employees engaging in their respective profession on the
7 effective date of this section, and within six months of the first day
8 of employment for all new employees who initially engage in their
9 respective profession on a date that follows the effective date. If an
10 approved nonprofit course provider is involved in providing the
11 one-time training course to new employees who initially engage in
12 their respective profession on a date that follows the effective date
13 of this section, then the nonprofit course provider shall provide the
14 training course at least once every six months in order for these
15 employees to meet the six-month training deadline established by
16 this paragraph.

17 (3) The Department of Health shall make available the training
18 materials for the one-time training course to required employees, or
19 to the approved nonprofit course provider, if any, in order for the
20 required employees to fulfill the one-time training requirement set
21 forth in this subsection.

22 d. (1) The Administrative Office of the Courts shall develop
23 and approve a training course and a curriculum to raise awareness
24 of judges and judicial personnel on the seriousness of the crime of
25 human trafficking, its impact on human rights and the need to
26 adequately implement anti-trafficking laws, including not only the
27 prosecution and sentencing of defendants charged with human
28 trafficking, but the need to respect and restore rights and needs of
29 victims of human trafficking. This training course shall be
30 reviewed at least every two years and modified by the
31 Administrative Office of the Courts from time to time as need may
32 require.

33 (2) The Administrative Office of the Courts shall make the
34 training course, curriculum, and supporting materials available to
35 appropriate judges and judicial personnel who may be involved
36 with the court-related aspects of human trafficking prosecutions
37 through annual in-service judicial training programs or other means.

38 e. Pursuant to section 2 of P.L.2013, c.51 (C.52:17B-238), the
39 Attorney General, in consultation with the Commission on Human
40 Trafficking established by section 1 of P.L.2013, c.51 (C.52:17B-
41 237), may provide for the expenditures of monies from the "Human
42 Trafficking Survivor's Assistance Fund" to assist with the
43 development, maintenance, revision, and distribution of training
44 course materials for the courses developed in accordance with this
45 section, and the operation of these training courses.

46 (cf: P.L.2013, c.51, s.19)

47

48 2. This act shall take effect immediately.

STATEMENT

This bill amends the “Human Trafficking Prevention, Protection, and Treatment Act,” P.L.2013, c.51 (C. 52:17B-237 et al.), and requires the Department of Health to include certain response protocols in the training course, required under existing law, for employees of health care facilities regarding suspected human trafficking activities.

Under existing law, the department, in consultation with the Commission on Human Trafficking, is required to develop, approve, and provide for a one-time training course on the handling and response procedures of suspected human trafficking activities for employees of licensed health care facilities; or, alternatively, to approve for use a substantially similar one-time training course provided by a recognized Statewide nonprofit healthcare trade association with demonstrated experience in providing course offerings to health care facility employees on similar workplace matters.

This bill specifies that the training course is required to include protocols for employees to follow upon identifying suspected human trafficking activities that include, but need not be limited to: offering a suspected victim a referral to the appropriate counseling or social services, recording as much information about a victim as possible, and reporting the incident and any recorded information to the New Jersey Human Trafficking Hotline. These protocols are also to discuss appropriate responses when a suspected victim resists help or demonstrates fear that shared information will lead to arrest, placement in social services, return to family, or retribution from trafficker.