SLS 19RS-27

ORIGINAL

2019 Regular Session

SENATE BILL NO. 205

BY SENATOR MIZELL

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

LAW ENFORCEMENT. To require heath practitioners and abortion clinic employees to report human trafficking and trafficking of children for sexual purposes to law enforcement. (8/1/19)

1	AN ACT
2	To enact Children's Code Arts. 603(17)(1), 610(I) and 610.1, relative to human trafficking;
3	to require certain mandatory reporters to report to law enforcement if a child is a
4	victim of human trafficking or trafficking of children for sexual purposes; to provide
5	for mandatory reporting of a crime against a child; to define mandatory reporters; to
6	provide for reporting of child abuse to state agencies; to provide for related matters.
7	Be it enacted by the Legislature of Louisiana:
8	Section 1. Children's Code Arts. 603(17)(I), 610(I) and 610.1 is hereby enacted to
9	read as follows:
10	Art. 603. Definitions
11	As used in this Title:
12	* * *
13	(17) "Mandatory reporter" is any of the following individuals:
14	* * *
15	(l) "Abortion clinic employee" is an individual who is not a health
16	practitioner, as defined in this Section, but who is employed by an outpatient
17	abortion facility and who has any contact with patients at the facility.

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1	* * *
2	Art. 610. Reporting procedure; reports to the legislature and the United States
3	Department of Defense Family Advocacy Program
4	* * *
5	I. Any health practitioner or abortion clinic employee who has
6	knowledge of or who observes a minor female who presents at an outpatient
7	abortion facility or other healthcare facility and who reasonably appears to be
8	a victim of human trafficking, trafficking of children for sexual purposes, or
9	coerced abortion shall report immediately to the local law enforcement agency
10	having jurisdiction over crimes against children.
11	Art. 610.1 Reporting requirements; pregnant minors
12	A. When a minor female who is under the age of seventeen and is
13	pregnant presents at an outpatient abortion clinic or other healthcare facility
14	to a mandatory reporter who is a health practitioner or an abortion clinic
15	employee, that mandatory reporter shall make a reasonable effort to determine
16	whether the minor female is a victim of abuse which is defined as a crime
17	against a child, pursuant to Children's Code Article 603.
18	B. Except as provided in Children's Code Article 610(I), the health
19	practitioner or abortion clinic employee who has a reasonable belief that the
20	child is a victim of abuse which is defined as a crime against a child, pursuant
21	to Children's Code Article 603, the health practitioner or the abortion clinic
22	employee shall follow the reporting procedures provided for in Children's Code
23	Article 610.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Carla S. Roberts.

	DIGEST	
SB 205 Original	2019 Regular Session	Mizell

Present law provides that certain persons who are mandatory reporters, as is defined by present law, are required to report incidents of child abuse to the Dept. of Children and Family Services or to law enforcement.

Proposed law retains present law and requires any health practitioner or abortion clinic

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employee who has knowledge of or who observes a minor who presents at an outpatient abortion facility or other healthcare facility and who appears to be a victim of human trafficking, trafficking of children for sexual purposes, or coerced abortion to immediately report such observations to local law enforcement agency having jurisdiction over crimes against children.

<u>Proposed law</u> defines an "abortion clinic employee" as an individual who is not a health practitioner, as defined <u>present law</u>, but who is employed by an outpatient abortion facility and who has any contact with patients at the facility.

<u>Proposed law</u> provides that, when a minor female who is under the age of 17 and is pregnant and presents to an outpatient abortion facility other healthcare facility to a mandatory reporter who is a health practitioner or abortion clinic employee, that mandatory reporter shall make a reasonable effort to determine if the minor female is a victim of abuse which is defined as a crime against a child, pursuant to <u>present law</u>. <u>Proposed law</u> further provides that, if the health practitioner or abortion clinic employee determines that evidence of abuse against the pregnant minor has occurred (other than human trafficking and trafficking of children for sexual purposes which must be reported to law enforcement under <u>proposed</u> <u>law</u>), the health practitioner or the abortion clinic employee shall follow the reporting procedures provided for mandatory reporters pursuant to <u>present law</u> and shall report the abuse to the Dept. of Children and Family Services.

Effective August 1, 2019.

(Adds Ch. C. Arts. 603(17)(1), 610(I) and 610.1)