

Human Trafficking: Regulations and Implications for Health Care

Holly Austin Gibbs, Dignity Health



Learning Objectives

- **Recognize** common misconceptions of HT
- **Describe** impact to healthcare orgs and front line workers
- **Consider** regulations and implications for compliance



Child of indentured family working in brickworks, Uttar Pradesh, India (ArtWorks for Freedom)

Introduction

Human trafficking is crime based on **exploitation**¹

Traffickers prey on **vulnerability**. Crosses all age, economic, cultural, gender, sexual orientation, racial, and social lines.

International Labor Organization (ILO) estimates:²

- **40+ million victims worldwide**
- **71% women and girls**



Child laborer at carpet loom, Uttar Pradesh, India (ArtWorks for Freedom)

Many Forms of Exploitation Worldwide

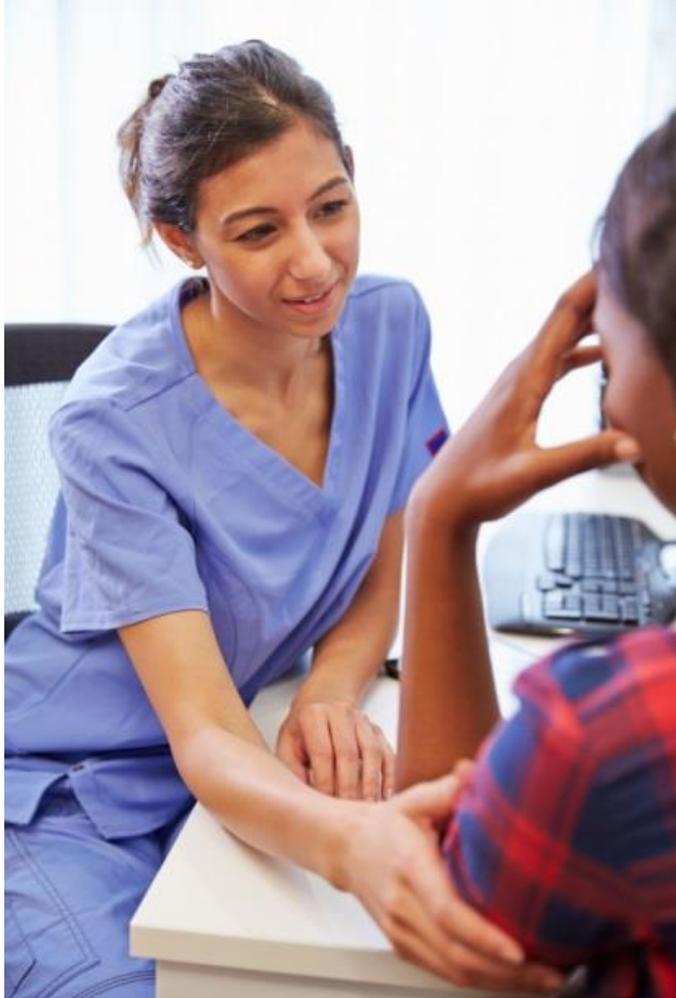


Organ trafficking in Philippines (“Tales from the Organ Trade” by Associated Producers Ltd)

Child soldiers in Uganda, **child brides** in India, **sex trafficking** of women and children in Thailand.⁴

Forced labor & human trafficking fuel **\$150 billion industry worldwide.**³ **How can WE make a difference?**

Healthcare and Human Trafficking



Healthcare professionals come in contact with trafficked persons.

2017 survey report:⁵

- Surveyed **labor** and sex trafficking survivors
- Over half reported **healthcare encounter** during victimization
- Nearly 97% received **no information** about human trafficking

Medical care providers too often unprepared to identify victims.

We can change that!

Hello humankindness

Dignity Health, with Dignity Health Foundation, launched program to identify trafficked persons in healthcare settings and assist with trauma-informed care.

Aligns with **core mission and values**:

- Deliver **compassionate**, high quality, affordable health services
- **Serve and advocate** for our sisters and brothers who are poor, disenfranchised
- **Partner with others** in community to improve quality of life



Access HT 101 and other resources here:
dignityhealth.org/human-trafficking-response

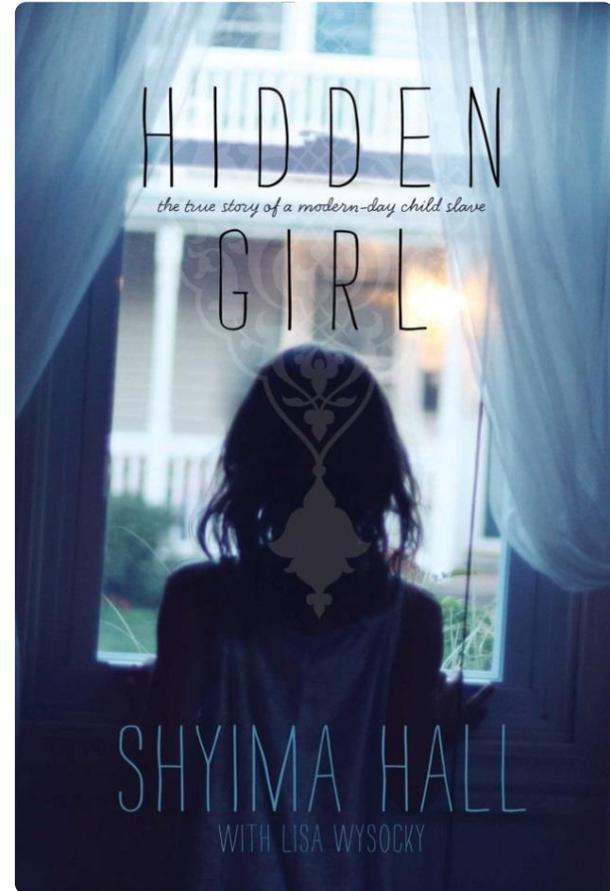
Myth #1: Human trafficking only happens overseas.

Shyima Hall's Story

Every country is affected, including **United States**⁶

- Traded into slavery by parents, in Egypt, age 8
- Moved/forced into domestic servitude
- Cooked, cleaned, cared for children 12+ hours daily
- Forced to wash clothes in bucket, slept in garage

Age 12, recovered by law enforcement.

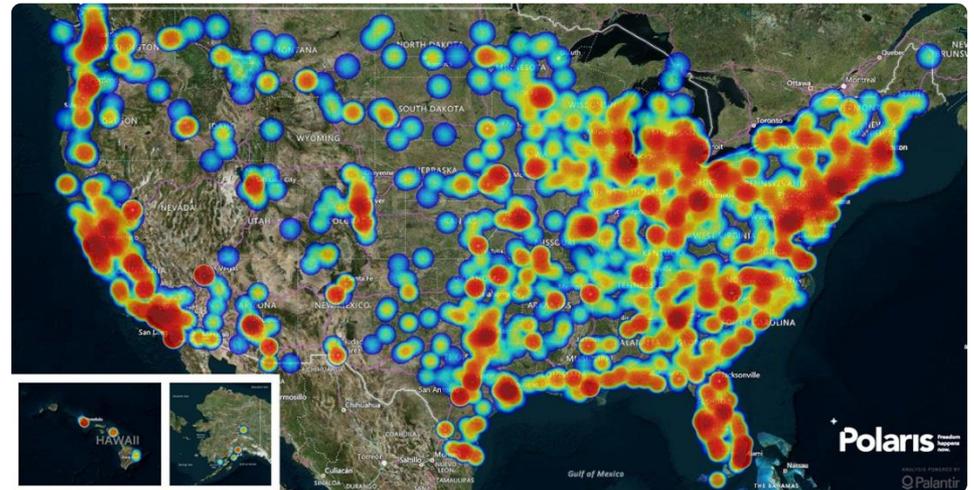


From HIDDEN GIRL by Shyima Hall. Copyright © 2014 by Shyima Hall. Reprinted with the permission of Simon & Schuster Books for Young Readers, an imprint of Simon & Schuster Children's Publishing Division. All rights reserved.

National Statistics on Human Trafficking

National HT Hotline: Human trafficking reported **in all 50 states, D.C.**⁷ 2017 Statistics:

- **Arizona:** 181 reports of human trafficking, 49 underage victims⁸
- **California:** 1,305 reports of human trafficking, 378 underage victims⁹
- **Nevada:** 199 reports of human trafficking, 45 underage victims¹⁰



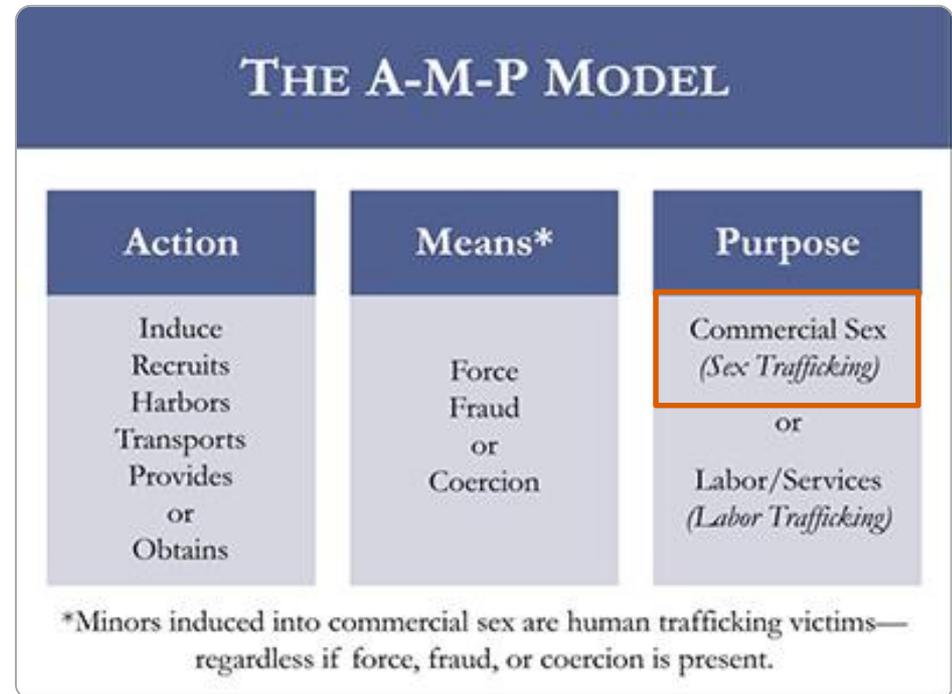
Areas affected by human trafficking, 2017
(Polaris, national anti-trafficking organization,
operates National HT Hotline)

Trafficking Victims Protections Act (TVPA)

Federal legislation outlaws:

- **Sex trafficking**
- **Labor trafficking**

Commercial sex: sex act in which something of value is exchanged (e.g. money, drugs, survival needs).¹¹



AMP Model (National HT Hotline)

Angela Guanzon's Story

Angela **recruited** from Philippines to work in nursing facility

- Passport confiscated
- Told she owed \$12,000
- Restricted from leaving work facility
- Slept on floor
- Threatened, forced to work with little pay

After two years, Angela recovered by law enforcement.¹² Examples of A-M-P in her story? Questions?



Angela is member of National Survivor Network, program created by CAST in Los Angeles, CA. (Photo courtesy of Angela Guanzon, Leslie Menocal, and Runaway Girl, Inc.)

Force, Fraud, and Coercion

Force can involve physical restraint, physical harm

Fraud involves false promises regarding employment, wages, working conditions

Coercion can involve threats against **any person**, abuse/threatened abuse of legal process¹³



EXCEPTION: Sex Trafficking of Children/Youth

Force, fraud, coercion NOT required in cases involving minors (<18) induced to perform **commercial sex**

- Minors easier to manipulate
- Sex traffickers **lure** minors into relationships or **running away from home** with false promises of new, glamorous life

(Photo Source: Truckers Against Trafficking; Photo Credit: Sherry Dooley)



Three Victim Populations

TVPA: Three victim populations of criminal human trafficking

- Any minor (<18) induced to perform commercial sex **under any circumstance**
- Any adult induced to perform commercial sex **via force, fraud, coercion**
- Anyone, **of any age**, induced to perform labor/services via force, fraud, coercion. Labor trafficking includes **debt bondage** (Angela's story), **forced labor**, and **involuntary child labor** (Shyima's story).

If you suspect a patient may be a victim, refer to Abuse, Neglect, and Violence Policy, which includes **PEAR Tool**.

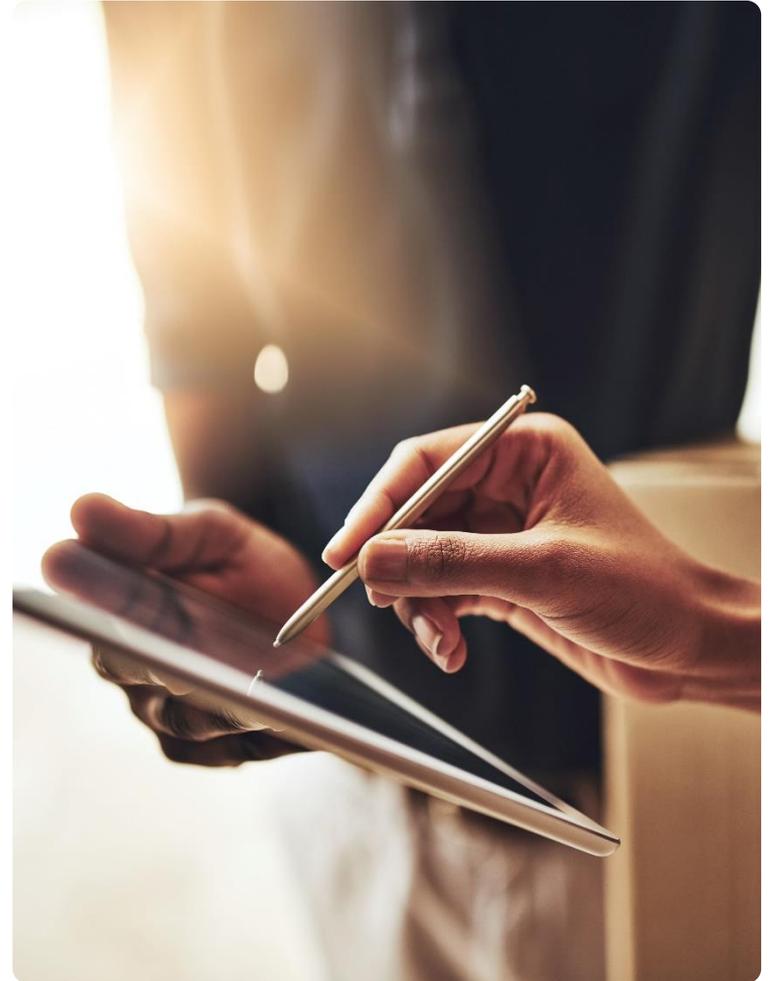
Policies and Procedures

Follow JC and CMS Requirements

Examples for Acute Care Facilities:

- **Prevent and investigate reports** of abuse/neglect of patients by staff or any other person on-site;
- **Educate staff** about child abuse/neglect, abuse/neglect of vulnerable adults, IPV/DV, and sexual violence, including written criteria for identification;
- **Maintain a list** of community agencies to assist with referrals

JC Source: Elements of Performance
for PC.01.02.09



Reflect Guiding Principles of TIC

Trauma can affect how individual engages in major life areas, including health care. Health systems and professionals encouraged to practice SAMHSA's guiding principles in **all aspects of patient care** and services:¹⁴

- **Safety:** Throughout organization, staff and people they serve should feel physically and psychologically safe.
- **Trustworthiness and transparency:** Organizational operations and decisions are conducted with transparency and with goal of building and maintaining trust among staff, patients, and family members.
- **Peer support and mutual self-help:** These are integral to organizational and service delivery approach and are understood as key vehicle for building trust, and for establishing safety and empowerment.
- **Collaboration and mutuality:** There is true partnering and leveling of power differences between staff and patients and among staff.

Guiding Principles, Continued

- **Empowerment, voice, and choice:** Throughout organization and among persons served, individuals' strengths are recognized, built on, and validated.
- **Consideration of cultural, historical, and gender issues:** Organization actively moves past cultural stereotypes and biases, offers gender responsive services, leverages healing value of traditional cultural connections, and recognizes and addresses historical trauma.

By practicing principles, health professionals can promote patient-centered experience and **resist re-traumatization** of patients.



PEARR Tool

In partnership with **HEAL Trafficking** and **PSC**, with support from Dignity Health Foundation, **Dignity Health** developed “PEARR Tool.”

PEARR Tool offers guidance to physicians, **social workers**, nurses, other health professionals on how to provide trauma-informed assistance to patients who may be victims of ANV, including HT.



Download PEARR Tool here:
[dignityhealth.org/human-trafficking-
response](https://dignityhealth.org/human-trafficking-response)

PEARR Steps

PEARR stands for:

- **P**rovide privacy
- **E**ducate
- **A**sk
- **R**espect and **R**espond

Double asterisk ** indicates points at which conversation with patient may end. Once this occurs, refer to double asterisk in PEARR Tool for **additional steps**, i.e., report safety concerns, complete mandated reporting, continue health services.



Contact Info

Holly Austin Gibbs

HT Response Program Director, Dignity Health

holly.gibbs@dignityhealth.org

References and Notes (1)

1. UN General Assembly, *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime*, 15 November 2000, available at: <http://www.refworld.org/docid/4720706c0.html> (accessed October 18, 2015)
2. Global Slavery Index, *Unveiling the Numbers*, <https://www.globallslaveryindex.org/2018/findings/highlights/> (accessed February 12, 2019)
3. International Labour Organization, *New ILO Global Estimate of Forced Labour: 20.9 million victims*, http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_182109/lang--en/index.htm (accessed October 18, 2015)
4. Kasirye, Rogers *Rapid assessment report on trafficking of children into worst forms of child labour*, including child soldiers in Uganda: a study conducted in the districts of Busia, Pader, Kalangala Masaka and Kampala as part of IPEC TBP preparatory activities [elaborated by Rogers Kasirye]; International Labour Office; ILO International Programme on the Elimination of Child Labour - Geneva: ILO, 2007; PBS NewsHour Extra, *Bride Shortage in India Sends Girls Far from Home to Marry*, http://www.pbs.org/newshour/extra/daily_videos/bride-shortage-india-sends-girls-far-home-marry/ (accessed October 30, 2015); Sophie Brown, *Tackling Thailand's human trafficking problem*, CNN, June 21, 2014, <http://www.cnn.com/2014/06/20/world/asia/thailand-trafficking-report/> (accessed October 30, 2015)
5. Maureen McKinney, "Hospitals train staff to spot victims of human trafficking", ModernHealthcare.com, June 20, 2015, <http://www.modernhealthcare.com/article/20150620/MAGAZINE/306209987> (accessed October 18, 2015)

References and Notes (2)

6. United Nations Office on Drugs and Crime, *Human Trafficking FAQs*, http://www.unodc.org/unodc/en/human-trafficking/faqs.html#Which_countries_are_affected_by_human_trafficking (accessed October 30, 2015)
7. Polaris, *Human Trafficking*, <https://www.polarisproject.org/human-trafficking/overview>, (accessed October 18, 2015)
8. Trafficking Resource Center, *Arizona*, <https://humantraffickinghotline.org/state/california> (accessed February 12, 2019)
9. Trafficking Resource Center, *California*, <https://humantraffickinghotline.org/state/california> (accessed February 12, 2019)
10. Trafficking Resource Center, *Nevada*, <https://humantraffickinghotline.org/state/nevada> (accessed February 12, 2019)
11. PL 106-386: *Victims of Trafficking and Violence Act of 2000* was broken down into three divisions: the Trafficking Victims Protection Act (TVPA), the Violence Against Women Act (VAWA), and Miscellaneous Provisions, <http://www.state.gov/documents/organization/10492.pdf>
12. Email correspondence between Angela Guanzon and Holly Gibbs, Patient Care Services Program Director, Dignity Health, November 22, 2015

References and Notes (3)

13. Department of Health and Human Services (HHS), *Human Trafficking*, http://www.acf.hhs.gov/sites/default/files/orr/fact_sheet_human_trafficking_english.pdf (accessed October 18, 2015)
14. Substance Abuse and Mental Health Services Administration, SAMHSA News, “Guiding Principles of Trauma-Informed Care”, Spring 2014, Volume 22, Number 2, https://www.samhsa.gov/samhsaNewsLetter/Volume_22_Number_2/trauma_tip/guiding_principles.html (accessed December 3, 2018)