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

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DIGEST

SB 363 Original

2020 Regular Session

Mizell

Present law defines a "mandatory reporter to law enforcement" as any abortion facility staff member or any abortion facility professional. Present law defines an "abortion facility staff member" as an individual who is not an abortion facility professional but who is employed by or contracts with an outpatient abortion facility to provide services and who has any contact with patients at the facility. Present law defines an "abortion facility professional" as an individual who is a physician, surgeon, resident, intern, licensed nurse, nursing aide, emergency medical technician, or a paramedic who diagnoses, examines, or treats a female patient at an outpatient abortion facility.

Present law provides that beginning August 1, 2019, every mandatory reporter to law enforcement (outpatient abortion facility staff member or professional) will certify to the La. Dept. of Health that they have participated in training on human trafficking awareness and prevention on an annual basis. Present law further provides that the Dept. of Health shall promulgate rules and a form to provide for compliance with the training requirement in present law utilizing the online educational videos on human trafficking awareness and prevention provided by the U.S. Dept. of Health and Human Services, Administration for Children and Families, office on trafficking in persons.

Proposed law retains present law as it relates to the requirement that each mandatory reporter to law enforcement participate in training on human trafficking awareness and prevention on an annual basis but deletes the provisions in present law that require the Dept. of Health to promulgate rules and a form to report compliance.

Proposed law provides that, beginning August 1, 2020, every mandatory reporter to law enforcement will, within 14 days of becoming employed or entering into a contract or agreement to perform services at an outpatient abortion facility, certify to the La. Dept. of Health that the abortion clinic employee or professional has participated in a training on human trafficking awareness and prevention. Proposed law further provides that compliance with the training requirement will be accomplished by completing the online educational video on human trafficking awareness and prevention provided by the U.S. Dept. of Health and Human Services, Administration for Children and Families, office on trafficking in persons and the certificate of completion printed upon completion of the online educational video shall serve as proof of completion.

Proposed law provides that, no later than January 15, 2021, and on an annual basis thereafter, every mandatory reporter to law enforcement shall certify to the La. Dept. of Health that they have participated in a training on human trafficking awareness and prevention.

Proposed law provides that each outpatient abortion facility is responsible for ensuring that every mandatory reporter to law enforcement, whether an abortion facility staff member or an abortion facility professional, timely completes the training on human trafficking awareness and prevention

required pursuant to present law.

Proposed law provides that the outpatient abortion facility shall comply with all of the following:

- (1) No later than 30 days, shall electronically transfer the human trafficking prevention and awareness training certificate of completion by the new employee or new contractor to the La. Dept. of Health.
- (2) No later than February 15, 2021, and on an annual basis thereafter, the outpatient abortion facility shall electronically transfer to the La. Dept. of Health a copy of all certificates of completion for each employee or contractor.
- (3) Maintain a copy of each certificate of completion in the individual employee's file or the individual abortion facility professional's contract or agreement file.

Effective August 1, 2020.

(Adds R.S. 40:2175.7)