

# Health Care:

Stoklosa, Hanni 2019

## *Opportunities & Challenges of Human Trafficking Data Collection*

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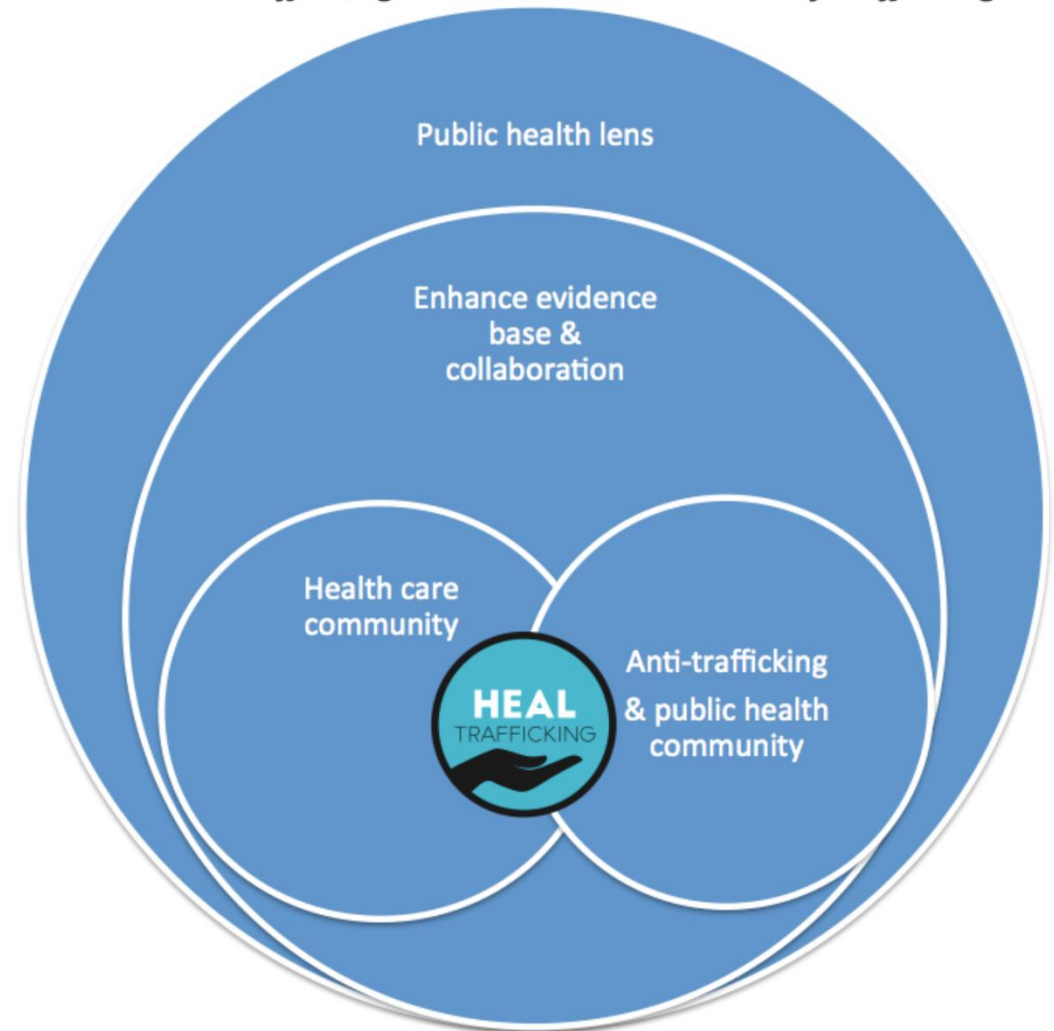
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- *HEALtrafficking.org*



# HEAL Trafficking

- Founded 2013
- >2500 survivors & multidisciplinary professionals in 18 countries
- Public health lens

*HEAL Trafficking: toward a world healed of trafficking*













# A lot of “if’s”

- **If** trafficked person accesses healthcare
- **If** health professional is aware of trafficking
- **If** health professional knows how to assess for trafficking
- **If** trafficked person discloses trafficking to health professional
- ***If trafficking is reported***
- **If** trafficking disclosure is captured in medical record



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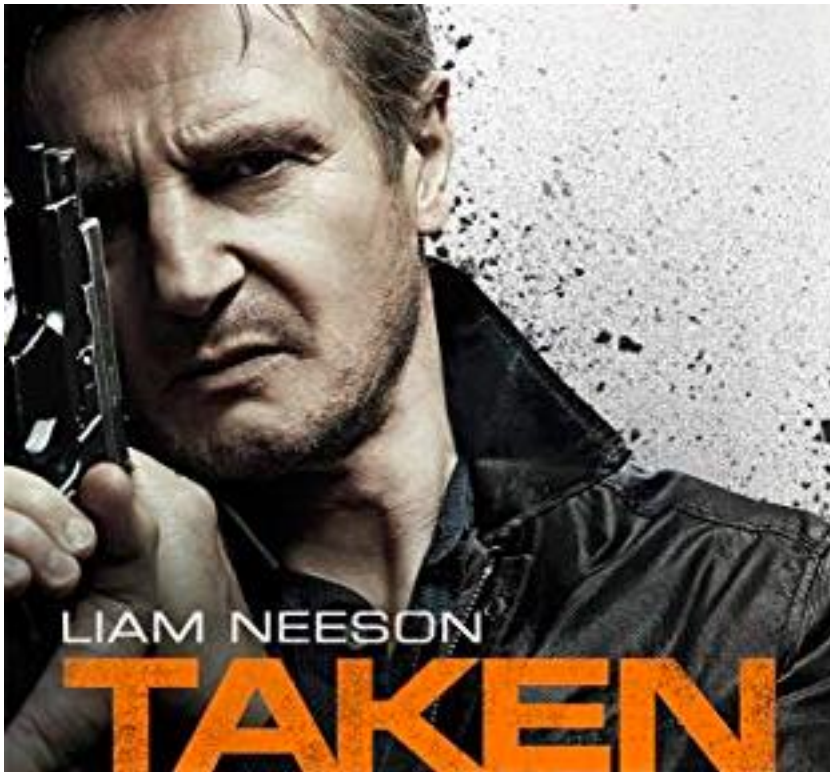
# If trafficked person accesses health care

- **Majority** of trafficked persons access health care
- Emergency Medicine #1 access point





# If health professional is aware of trafficking AND recognizes red flags



# Unconscious bias: perfect victim/patient





Which one is a  
victim?





# If health professional knows how to assess for trafficking

the Goal is not rescue, or disclosure



# Approach to the assessment of a *potential* victim of human trafficking?

- The goal is creating an open door:
  - Building trust, educating, and providing resources





# Educate & Provide Resources

## Do NOT interrogate/force disclosure



# PEARR

- P: Provide Privacy
- E: Educate
- A: Ask
- R: Respect & Respond

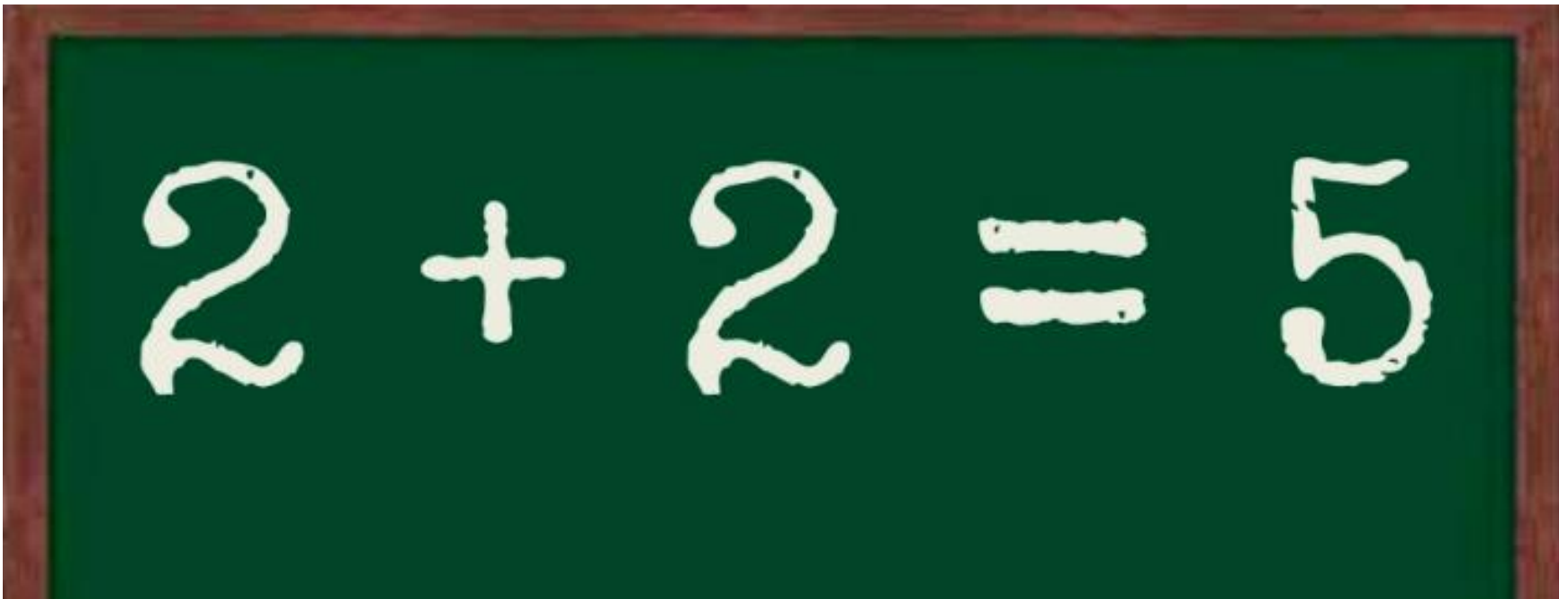
<https://www.dignityhealth.org/-/media/Documents/PEARRToolm7.ashx?la=en&hash=48A3B50F89D4DE2752DD18A459666B6680B360EA>

# If trafficked person discloses trafficking to health professional

- Provider
- System
- Patient



# Provider



# System



# Patient/Trafficked Person

- Basic needs not met
- Too sick
- Threats against self, family
  - **Deportation**
- Shame
- Non-self identification
- Perception of **judgement** by health professional





# If trafficking is reported

- Child Welfare
- National Human Trafficking Hotline

# HIPAA



## Journal of Human Trafficking



ISSN: 2332-2705 (Print) 2332-2713 (Online) Journal homepage: <http://www.tandfonline.com/loi/uhmt20>

## Human Trafficking and HIPAA: What the Health Care Professional Needs to Know

Clydetta Powell , Michelle Asbill, Samantha Brew & Hanni Stoklosa

## HIPAA operationalized

**Question:** Is an HCP, covered by HIPAA, permitted to disclose PHI in the case of a suspected HT victim?

**Answer:** Yes, the HCP, covered by HIPAA, is permitted to disclose PHI in the case of a suspected HT victim under the following conditions:

- (1) With the patient's permission or
- (2) If the patient does not give permission, then reporting is only permitted under specific exclusions or exemptions defined by HIPAA:
  - (a) Mandated reporting: HIPAA allows reporting if state law specifically mandates a disclosure for suspected trafficking of a minor, such as in Colorado or Massachusetts (see mandatory reporting question) or where HT falls under child-abuse-mandated-reporting laws (Atkinson, Curnin, & Hanson, 2016). When such reporting is mandated, the reporting must be made only to the legal entity authorized to receive these reports and should include a disclosure of only the information required under mandated-reporting laws.
  - (b) Imminent danger of patient or staff: The HCP is directed to make decisions in "good faith" and may disclose PHI when "it is felt to be necessary to prevent or lessen a serious and imminent threat to the health or safety of a person or the public" (DHHS, 2013b, p. 94).

# If trafficking disclosure is captured in medical record

## ICD 10 CM codes

### OFFICE ON TRAFFICKING IN PERSONS

*An Office of the Administration for Children & Families*

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## CDC Adds New Human Trafficking Data Collection Fields for Health Care Providers

June 14, 2018



# Other opportunities

- Electronic Health Records



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