



Health Care: *Opportunities & Challenges of Human Trafficking Data Collection*

Stoklosa, Hanni 2019

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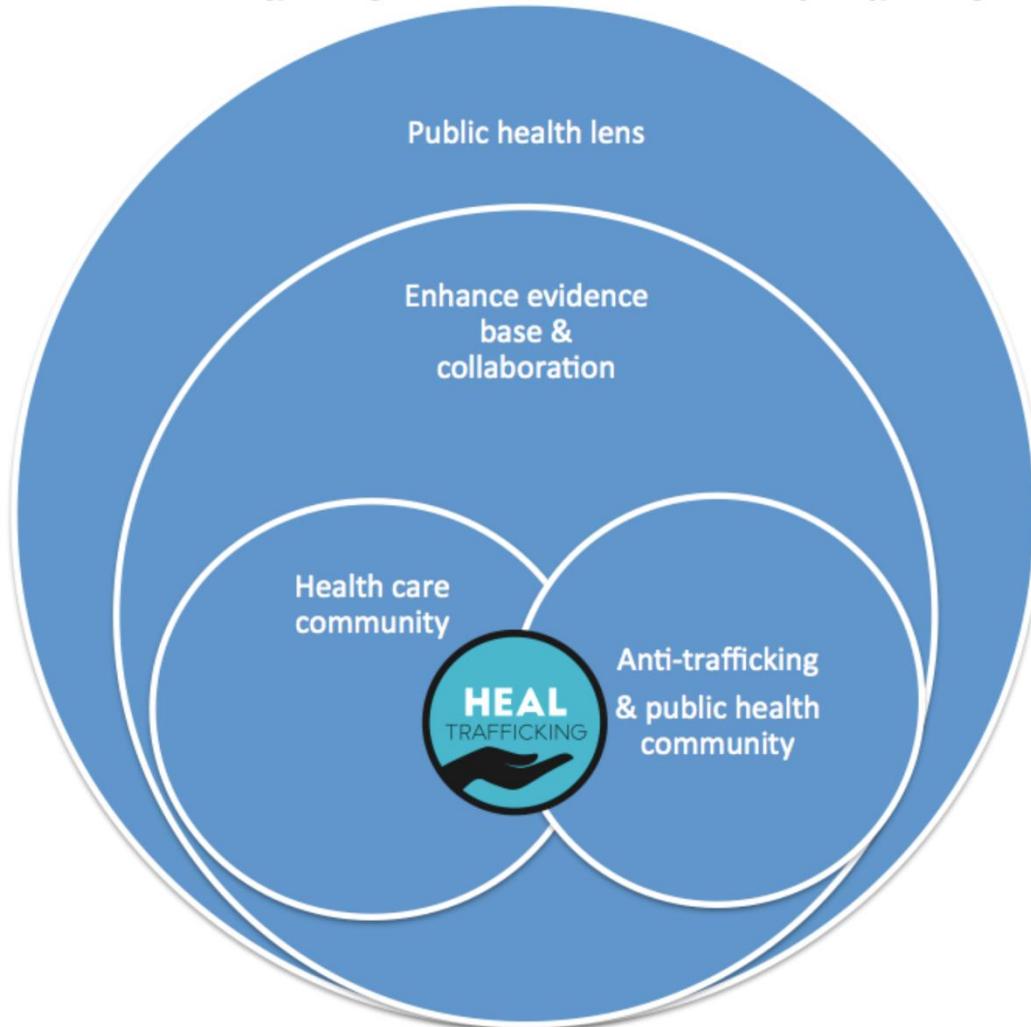
- Twitter: @hstoklosa
- HEALtrafficking.org



HEAL Trafficking

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

HEAL Trafficking: toward a world healed of trafficking





Public Health & Trafficking

Research

Media &
Technology

Edu &
Training

Protocols

Advocacy

Direct
Services

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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





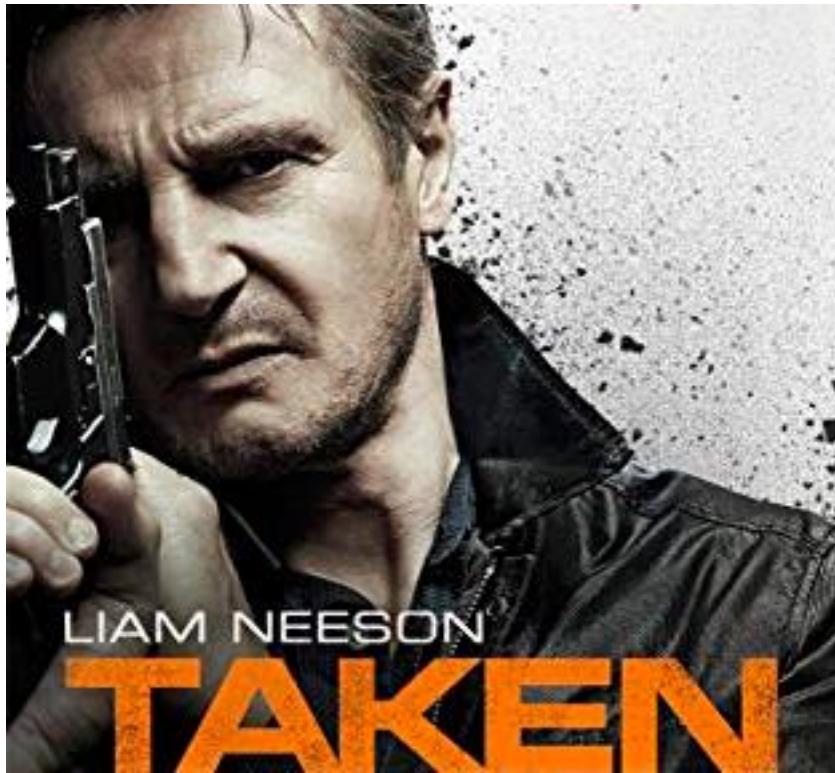
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If trafficked person accesses health care

- **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

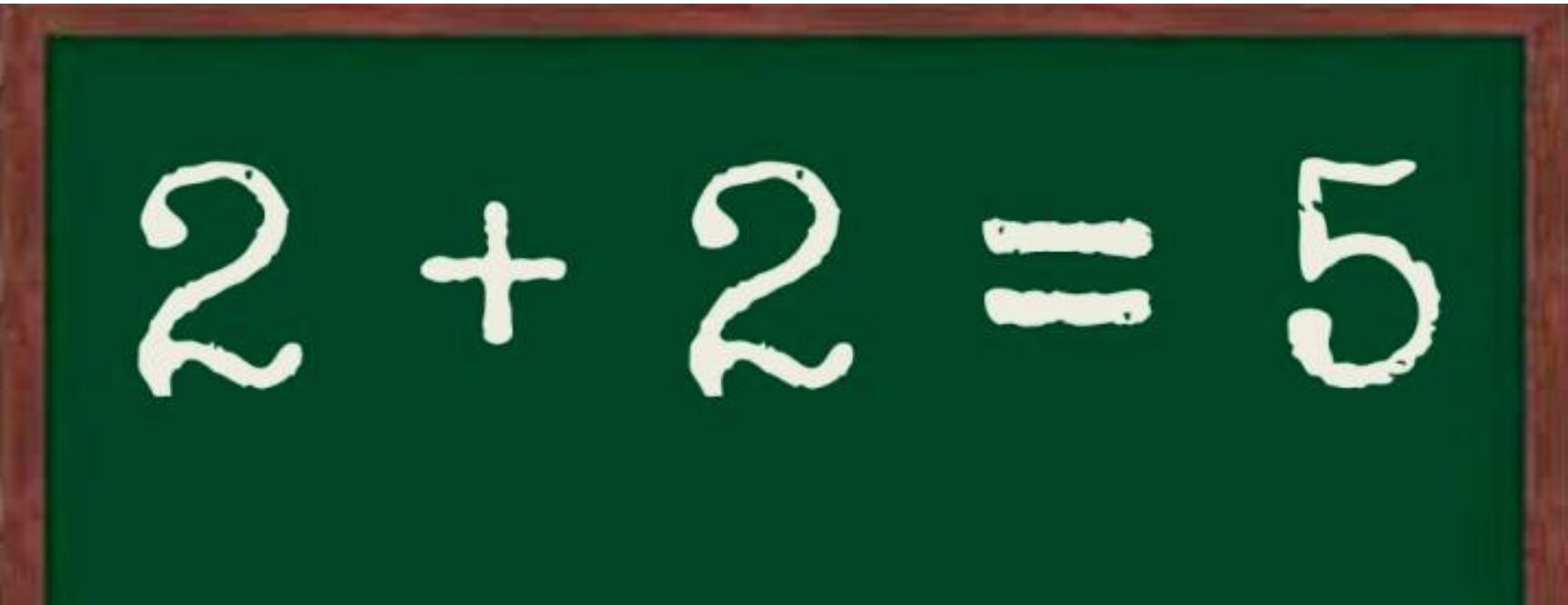
- P: Provide Privacy
- E: Educate
- A: Ask
- R: Respect & Respond

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

If trafficked person discloses trafficking to health professional

- Provider
- System
- Patient

Provider


$$2 + 2 = 5$$

System



Patient/Trafficked Person

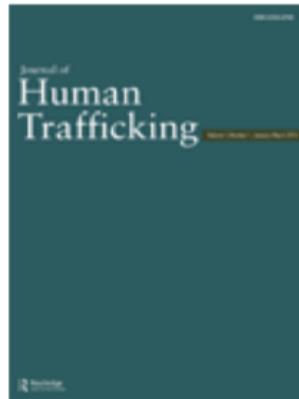
- Basic needs not met
- Too sick
- Threats against self, family
 - Deportation
- Shame
- Non-self identification
- Perception of **judgement** by health professional



If trafficking is reported

- Child Welfare
- National Human Trafficking Hotline

HIPAA



Journal of Human Trafficking



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

Clydette 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



The screenshot shows the homepage of the Office on Trafficking in Persons. The header features the agency's name in large, bold, white letters on a dark blue background, with the subtitle "An Office of the Administration for Children & Families" in a smaller, italicized font below it. To the right of the header is a dark blue navigation bar with white text and icons for social media (Twitter, Facebook, Flickr, YouTube) and a search function. Below the header, a navigation menu includes links for "About", "Victim Assistance", "Training", "Partnerships", "Research & Policy", "Grants", and "Resources". At the bottom of the page, a breadcrumb navigation shows the path: "ACF Home > Office on Trafficking in Persons > News > CDC Adds New Human Trafficking Data Collection Fields for Health Care Providers". To the right of this breadcrumb is a "PRINT" button with a printer icon.

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

June 14, 2018

Other opportunities

- Electronic Health Records



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