

JAN 19 2018

A BILL FOR AN ACT

RELATING TO MANDATORY REPORTING REQUIREMENTS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. Chapter 346, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§346- Reporting requirements; human trafficking. (a)
Notwithstanding any other state law concerning confidentiality
to the contrary, the following persons who, in the performance
of their professional or official capacity, know or have reason
to believe that a person is a victim of, or is in danger of
becoming a victim of, labor trafficking pursuant to section
707-781 or 707-782, or sex trafficking pursuant to section
712-1202, shall immediately report the matter orally to the
department or to a police department:

(1) Any licensed or registered health care professional,
including a physician, physician in training,
physician assistant, psychologist, dentist, nurse,
osteopathic physician or surgeon, optometrist,
chiropractor, podiatrist, pharmacist, or other health-



1 related professional, who examines, treats, or
2 provides other professional or specialized health-
3 related services;

4 (2) Employees or officers of any public or private
5 hospital, clinic, or other healthcare institution who
6 provide social, medical, clinical, or mental health
7 services;

8 (3) Social workers licensed pursuant to chapter 467E and
9 non-licensed persons employed in a social worker
10 position pursuant to section 467E-6(2), whose primary
11 place of employment is a public or private hospital,
12 clinic, or other healthcare institution; and

13 (4) Employees or officers of any law enforcement agency,
14 including but not limited to the courts, police
15 departments, department of public safety, correctional
16 institutions, and parole or probation officers.

17 (b) The initial oral report shall be followed as soon as
18 possible by a report written to the department. If a police
19 department or the department of public safety is the initiating
20 agency, a written report shall be filed with the department for
21 cases on which the police or the department of public safety



1 takes further action or for active cases in the department under
2 this chapter. All written reports shall contain the name of the
3 person believed to be a victim or in danger of becoming a
4 victim, the nature and extent of the injury, ailment, behavior,
5 or circumstance that prompted the report, and any other
6 information that the reporter believes might be helpful or
7 relevant to the investigation of labor trafficking pursuant to
8 section 707-781 or 707-782, or sex trafficking pursuant to
9 section 712-1202.

10 (c) Any person who knowingly fails to make a report
11 pursuant to subsection (a) within twenty-four hours after the
12 attendance, treatment, or examination, or who wilfully prevents
13 another person from making a report pursuant to this section,
14 shall be guilty of a petty misdemeanor.

15 (d) This section shall not prohibit any person from
16 reporting an incident that the person has reason to believe
17 involves labor trafficking or sex trafficking that comes to the
18 person's attention in a private or nonprofessional capacity."

19 SECTION 2. This Act does not affect rights and duties that
20 matured, penalties that were incurred, and proceedings that were
21 begun before its effective date.



S.B. NO. 2275


1 SECTION 3. New statutory material is underscored.

2 SECTION 4. This Act shall take effect upon its approval.



3

INTRODUCED BY:




Breene Hamit


Pat E. Bell



S.B. NO. 2275

Report Title:

Mandatory Reporting; Labor Trafficking; Sex Trafficking;
Examinations

Description:

Requires certain health care professionals, health care employees, social workers, and law enforcement employees or officers to report suspected cases of labor trafficking or sex trafficking.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

