Human Trafficking Reporting Policies for Massachusetts

**MASSACHUSETTS IS A MANDATED REPORTER OF HUMAN TRAFFICKING**

**National Policies**

Federal law does currently mandate reporting by healthcare providers of suspected human trafficking of patients **UNDER 18** (as child abuse per Child Abuse Prevention and Treatment Act); no mandated reporting for 18 and over.

**Sex trafficking**: the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purpose of a commercial sex act that is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age.

**Labor trafficking**: the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

**Under 18:**
Massachusetts **does mandate reporting** by all healthcare professionals to the Massachusetts Department of Children and Families for any suspicion of abuse, sexual exploitation, or trafficking immediately by oral report and in writing from **within 48 hours** of when suspicions arose. The report must contain: (1) the names(addresses of child and child’s guardians, if known; (2) child’s age; (3) child’s sex; (4) nature and extent of the child’s injuries, abuse, maltreatment or neglect, including any evidence of prior injuries, abuse, maltreatment or neglect; (5) circumstances under which the person required to report first became aware of abuse; (6) actions taken to treat, shelter or otherwise assist the child; (7) name of the person or persons making the report; (8) any other information that the person reporting believes might be helpful in establishing the cause of the injuries; (9) identity of the person or persons responsible for the neglect or injuries; and (10) other information required by the department.

**18 and over:**
Massachusetts **does not mandate reporting** for trafficking adults unless patient is a vulnerable adult protected under APS (call 800-922-2275). All other reporting should only be done with either patient consent or per HIPPA Privacy Rule regulations, if concern for imminent harm.

**Remember to consult with your patients about your concerns using trauma-informed care and respect patients’ autonomy.**

**Doctors, nurses, and social workers are mandatory reporters of all violations of human rights. Providers must get patient permission to report or call if 18+; it is a violation of privacy rights to report without consent.**

**State Policies**

**National Human Trafficking Hotline**

1(888) 373-7888

Scan For: The Trafficking Victims Protection Act (TVPA) of 2000 and Jones Day: Human Trafficking and Health Care Providers: Legal Requirements for Reporting and Education