

# HUMAN TRAFFICKING HEALTH ADVISORY BOARD ACT

## Act 461 of 2014

AN ACT to create the human trafficking health advisory board act; to provide for an interdepartmental human trafficking health advisory board; to prescribe the membership of the human trafficking health advisory board; and to prescribe the duties and responsibilities of the human trafficking health advisory board.

**History:** 2014, Act 461, Eff. Jan. 14, 2015

**Compiler's Notes:** For transfer of human trafficking health advisory board from department of community health to department of health and human services, see E.R.O. No. 2015-1, compiled at MCL 400.227.

*The People of the State of Michigan enact:*

### 752.991 Short title.

#### Sec. 1.

This act shall be known and may be cited as the "human trafficking health advisory board act".

**History:** 2014, Act 461, Eff. Jan. 14, 2015

**Compiler's Notes:** For transfer of human trafficking health advisory board from department of community health to department of health and human services, see E.R.O. No. 2015-1, compiled at MCL 400.227.

### 752.992 Definitions.

#### Sec. 2.

As used in this act:

(a) "Board" means the human trafficking health advisory board created in section 3.

(b) "Human trafficking" means a violation of chapter LXVIIA of the Michigan penal code, 1931 PA 328, MCL 750.462a to 750.462h.

**History:** 2014, Act 461, Eff. Jan. 14, 2015

**Compiler's Notes:** For transfer of human trafficking health advisory board from department of community health to department of health and human services, see E.R.O. No. 2015-1, compiled at MCL 400.227.

### 752.993 Human trafficking health advisory board; creation; membership; appointment; terms; vacancy; removal; chairperson; election of vice-chairperson and officers; meetings; quorum; conducting business at public meeting; writing subject to freedom of information act; compensation; expenses.

#### Sec. 3.

(1) The human trafficking health advisory board is created as an autonomous entity within the department of community health. The board shall consist of the following members:

(a) The director of the department of human services or his or her designated representative from within the department of human services.

(b) The director of the department of community health or his or her designated representative from within the department of community health.

(c) One individual appointed by the governor from a list of 3 individuals submitted by the senate majority leader.

The individual must be licensed or authorized to engage in the practice of medicine under part 170 of the public health code, 1978 PA 368, MCL 333.17001 to 333.17084, or part 175 of the public health code, 1978 PA 368, MCL 333.17501 to 333.17556.

(d) One individual appointed by the governor from a list of 3 individuals submitted by the speaker of the house of representatives. The individual must be licensed or authorized to engage in the practice of medicine under part 170 of the public health code, 1978 PA 368, MCL 333.17001 to 333.17084, or part 175 of the public health code, 1978 PA 368, MCL 333.17501 to 333.17556.

(e) One individual appointed by the governor who has experience and expertise in the field of intervention in or prevention of human trafficking or treatment of human trafficking survivors.

(f) Two individuals appointed by the governor who are human trafficking survivors.

(g) One individual appointed by the governor who is a mental health professional.

(h) One individual appointed by the governor who is a registered professional nurse licensed to engage in the practice of nursing under part 172 of the public health code, 1978 PA 368, MCL 333.17201 to 333.17242, and who is experienced in an emergency department, emergency room, or trauma center of a hospital licensed under article 17 of the public health code, 1978 PA 368, MCL 333.20101 to 333.22260.

(2) The members first appointed to the board under subsection (1)(c) to (h) shall be appointed within 90 days after the effective date of this act.

(3) Of the members initially appointed to the board under subsection (1)(c) to (h), 1 member shall be appointed for a term that expires on December 31, 2015, 1 member shall be appointed for a term that expires on December 31, 2016, 2 members shall be appointed for a term that expires on December 31, 2017, and 3 members shall be appointed for terms that expire on December 31, 2018. At the expiration of an initial appointment, a member shall be appointed for a term of 4 years.

(4) A member who attends less than 66 percent of the scheduled meetings of the board in any calendar year shall be considered to have vacated his or her appointment. Upon notification of a vacancy under this subsection or any other vacancy, the governor shall fill the vacancy in the same manner as the original appointment.

(5) The governor may remove a member of the board for incompetence, dereliction of duty, malfeasance, misfeasance, or nonfeasance in office, or any other good cause.

(6) The first meeting of the board shall be called not more than 180 days after the effective date of this act. Before this first meeting, the governor shall appoint the chairperson of the board from among the members listed in subsection (1). At the first meeting, the board shall elect from among its members a vice-chairperson and other officers as it considers necessary or appropriate who shall serve 1-year terms and who may be reelected. After the first meeting, the board shall meet at least quarterly, or more frequently at the call of the chairperson or if requested by a majority of the members then serving.

(7) A majority of the members of the board constitute a quorum for the transaction of business at a meeting of the board. A majority of the members present and serving are required for the official action of the board.

(8) The business that the board may perform shall be conducted at a public meeting of the board held in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

(9) A writing prepared, owned, used, in the possession of, or retained by the board in the performance of an official function is subject to the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(10) Members of the board shall serve without compensation. However, members of the board may be reimbursed for their actual and necessary expenses incurred in the performance of their official duties as members of the board.

**History:** 2014, Act 461, Eff. Jan. 14, 2015

**Compiler's Notes:** For transfer of human trafficking health advisory board from department of community health to department of health and human services, see E.R.O. No. 2015-1, compiled at MCL 400.227. For amendment to substitute director of department of health and human services for the director of department of human services and the executive director of Michigan children's services agency for the director of department of community health, see E.R.O. No. 2015-1, compiled at MCL 400.227. For renaming of Michigan children's services agency to children's services administration, see E.R.O. No. 2023-1, compiled at MCL 125.1999.

## **752.994 Duties of board.**

### **Sec. 4.**

The board shall do all of the following:

(a) Collect and analyze information concerning medical and mental health services available to survivors of human trafficking in this state.

(b) Identify state and local agencies within this state and other states, as well as within the federal government,

that are involved with issues relating to human trafficking, and coordinate the dissemination of information concerning medical and mental health services available to survivors of human trafficking in this state.

(c) Meet annually with local health agencies to review the existing medical and mental health services available to assist survivors of human trafficking and establish a program to make those survivors better aware of the services that are available to them.

(d) Establish a program to improve public awareness of medical and mental health services available to survivors of human trafficking in this state.

(e) Review existing state laws and administrative rules relating to medical and mental health policies affecting survivors of human trafficking and make recommendations to the legislature and state agencies to improve those laws and rules to address medical and mental health services available to survivors of human trafficking in this state.

(f) File an annual report with the chairs of the committees concerned with health policy of the senate and the house of representatives regarding its activities under this act. The report shall be filed not later than February 1 of each year.

**History:** 2014, Act 461, Eff. Jan. 14, 2015

**Compiler's Notes:** For transfer of human trafficking health advisory board from department of community health to department of health and human services, see E.R.O. No. 2015-1, compiled at MCL 400.227.