

# Appendix D

## Maryland Mandated Reporter Decision Tree

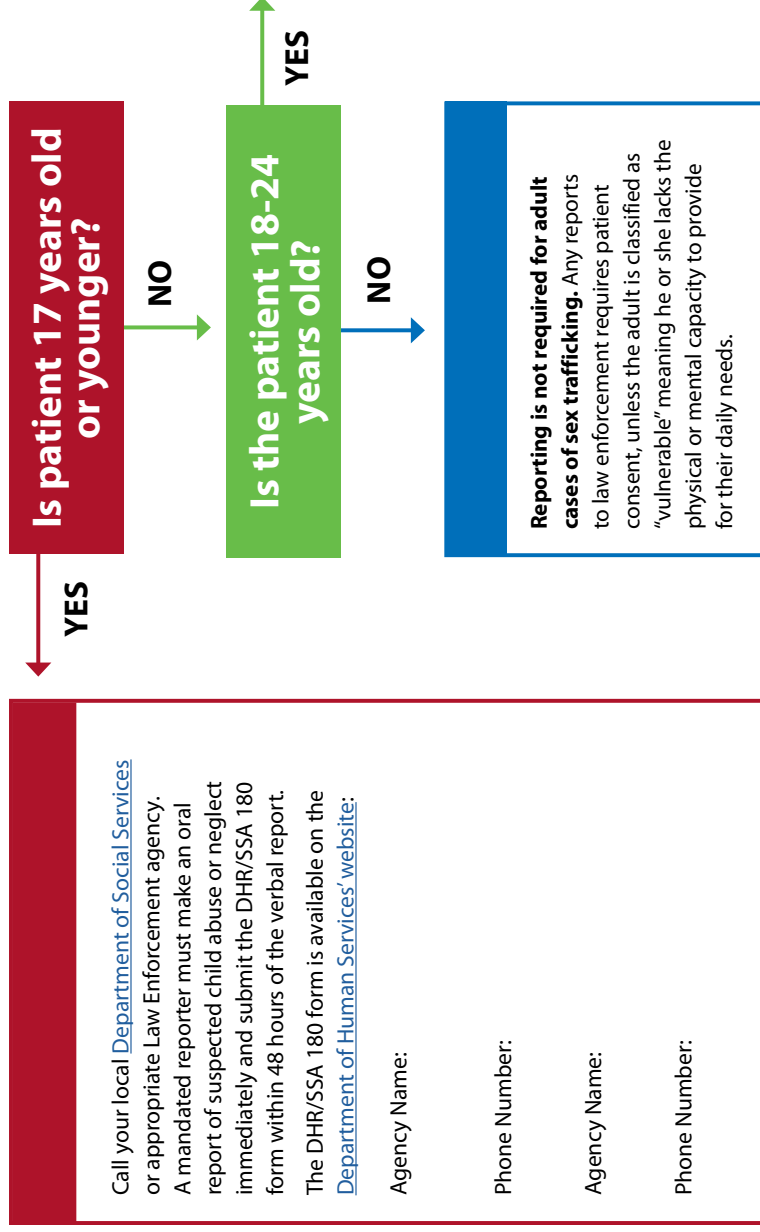
### Cases of Suspected or Confirmed Sex Trafficking of Youth

Mandated reporters in Maryland include health practitioners, police officers, educators, and human service workers. If a mandated reporter has reason to believe that a child has been the victim of sex trafficking, they must notify the local department of social services or the appropriate law enforcement agency. It is not necessary to be sure, suspicions are all that is needed for reporting child abuse and neglect.

For youth under 18, involvement in any commercial sex act is considered sex trafficking, regardless of stated consent, or the presence of force, fraud or coercion. If you are working with a minor that you have reason to believe has been exploited through commercial sex, a mandated report must be made.

“Sex trafficking” is the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a child for the purpose of a commercial sex act (Maryland Family Law § 5-701). A commercial sex act is sexual activity in exchange for something of perceived value (money, food, housing, etc.). All commercial sex of a minor is considered human trafficking, even in the absence of force, fraud or coercion.

**Follow the steps outlined in this decision tree to help you evaluate if a report to the Department of Social Services is required.**



**Is patient 17 years old or younger?**

**YES**

**NO**

**Is the patient 18-24 years old?**

**YES**

**NO**

**Reporting is not required for adult cases of sex trafficking.** Any reports to law enforcement requires patient consent, unless the adult is classified as “vulnerable” meaning he or she lacks the physical or mental capacity to provide for their daily needs.

Under Maryland state law, cases of suspected or confirmed sex trafficking of an adult are not required to be reported. Depending on the circumstance, making this report without the adult’s consent could be a violation of HIPAA. **However, youth ages 18 to 24 years old, are eligible to receive services through the Safe Harbor Regional Navigator Grant Program.**

If the patient requests assistance through the Safe Harbor Regional Navigator Grant Program, call the Regional Navigator for the jurisdiction where the trafficking occurred or where the youth is a resident.

For more information about the regional navigator program, contact the [Governor’s Office of Crime Control and Prevention](#).

If there is not a regional navigator in your area, to inquire about access to services, contact the [Anti-Human Trafficking Coordinator](#) at your local rape crisis center or the [National Human Trafficking Hotline](#) at 1-888-373-7888 or via the [online referral directory](#).

Agency Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_

**NOTE: Providers should discuss their role as a mandated reporter prior to screening.** Youth should be informed that they are not required to answer questions. Providing youth an opportunity to regain control during the interview process is important. However, patient consent is not required to report a cases of sex trafficking for children under the age of 18.