

# Health Policy and Human Trafficking

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# Health Policy Defined

- Health policies are public policies or authoritative decisions that pertain to health or influence the pursuit of health
- Health policies affect or influence groups or classes of individuals or organizations

# Health Policy Environment

- Policy is usually formulated as a response to some event or trend in society, i.e. human trafficking

# Public vs. Private Policymaking

- Public Policy

- Policy that is established by the federal, state, and local levels of government

- Private Policy

- Policy that is established by private organizations
  - For example, MCOs and JCAHO

# Forms of Health Policies

- There are five main forms of health policies
  - Laws
  - Rules/Regulations
  - Operational Decisions
  - Judicial Decisions
  - Macro Policies

# Laws

- A rule of conduct or action prescribed or formally recognized as binding or enforced by a controlling authority
- Enacted by any level of government
- Can also be referred to as a program
  - For example, the Medicare program

# Rules/Regulations

- Designed to guide the implementation of laws
- Can be made in the executive branch by the organizations and agencies responsible for implementing laws

# Operational Decisions

- Operational decisions are made by the executive branch of the government as a part of the implementation of a law
- Normally these decisions consist of protocols and procedures that follow the implementation of a new law
- These decisions tend to be less permanent than rules or regulations

# Categories of Public Health Policies

- Public health policies are grouped into two categories
  - Allocative
  - Regulatory

# Regulatory Policies

- Policies designed to influence the actions, behaviors, and decisions of others to ensure that public objectives are met
- Five main categories of regulatory policies
  - Social regulations
  - Quality controls on the provision of health services
  - Market-entry decisions
  - Rate or price-setting controls on health service providers
  - Market-preserving controls

# Social Regulations

- These regulations are established in order to achieve socially desirable outcomes and to reduce socially undesirable outcomes
- Examples
  - Environmental protection
  - Childhood immunization requirements
  - No smoking
  - Human Trafficking

# From the Legislative Process to New Rules

Law Enacted

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graph TD; A[Law Enacted] --> B[Administrative Rules Developed]; B --> C[Revised Licensing Requirements Implemented];
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Administrative Rules  
Developed

Revised Licensing  
Requirements Implemented

# Michigan Public health Code

- PA 368 of 1978 – Michigan Public Health Code
  - Article 15 pertains to professions licensed under the PH Code
  - Section 16148 of Article 15 pertains to the training of health professionals

# Training and Licensing Implications

## ■ The New Law

- PA 343 of 2014 amends Section 16148 and requires:

- “The Department” (currently DHHS) to “...by **two years after the effective date**...promulgate rules to include training standards for identifying victims of human trafficking required for individuals licensed or registered under this article...”
  - “Effective Date” is January 14, 2015
- The above training standards “shall apply for a license or registration renewal beginning with the first renewal cycle after the rules are promulgated and for an initial license or registration issued 5 or more years after the rules are promulgated.”

# Training and Licensing Implications (cont.)

- Administrative Rule Process
- The Board of Nursing has proposed revisions to its licensing requirements to incorporate this change, among others.
  - Revision text

# Nursing Licensing Rules Revision Timeline

Request for Rule-making Filed with ORR:	12/15/2015
Request for Rule-making Approved by ORR:	1/7/2016
Draft Rule to ORR:	3/29/2016
Draft Rule Approved by ORR:	4/12/2016
Regulatory Impact Statement to ORR:	3/29/2016

**Questions ?**