


County of Marin Behavioral Health and Recovery Services (BHRS)	POLICY NO. BHRS 71
	Next Review Date: January 2024
POLICY:	Date Approved: January 28, 2021
<u>TRAFFICKING VICTIMS PROTECTION ACT</u>	
SUPERCEDES: MHSUS-ADP-20	By:  Jei Africa, PsyD Director, Behavioral Health and Recovery Services

POLICY: TRAFFICKING VICTIMS PROTECTION ACT

I. PURPOSE:

The purpose of this policy is to ensure the County and its contractors are in compliance with the Trafficking Victims Protection Act of 2000.

II. REFERENCES:

Substance Abuse Prevention and Treatment Block Grant (SABG) Performance Contract State/Marin County DMC-ODS Intergovernmental Agreement (IA)
Trafficking Victims Protection Act of 2000 (22 U.S.C., Chapter 78, Section 7104 (g)) as amended by section 1702.

III. POLICY:

It is the policy of Marin County Behavioral Health and Recovery Services (BHRS) to ensure compliance with Section 106(g) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(g)) as amended by section 1702.

IV. AUTHORITY/RESPONSIBILITY:

BHRS Contract Managers
Alcohol and Drug Administrator
BHRS Director

V. PROCEDURE:

The County of Marin ensures that Contractors receiving funding under the SABG Performance Contract and DMC-ODS IA comply with statutory requirements of the Trafficking Victims Protection Act and applicable laws and regulations through the below methods.

Contractor compliance with this policy shall be achieved through:

1. Distribution of the Contractor Manual/Practice Guidelines, which includes information about Policies and Procedures and contract requirements, annually at contract renewal.

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2. Include the following provisions in contracts: The County is authorized to terminate a contract, without penalty, if the contractor: (a) Engages in severe forms of trafficking in persons during the period of time that the award is in effect; (b) Procures a commercial sex act during the period of time that the award is in effect; or (c) Uses forced labor in the performance of the award of subawards under the award.
3. Signature of Contractor on contract agreeing to all conditions set forth in the contract.
4. Approval and execution of contract by the County Board of Supervisors or County Administrator.
5. Annual completion of the Self Audit by relevant Contractors, and subsequent review by BHRS Contract Manager, including Contractor’s signed attestation of adherence to all laws and regulations.
6. At the annual Site Visit, Contract Manager shall review relevant contractor procedures to assess compliance with the Trafficking Victims Protection Act of 2000.
7. Any non-compliance will be documented and submitted to the BHRS Director for review and determination of Corrective Action or contract termination.
8. To report suspected human trafficking to Federal law enforcement: 1-866-347-2423 or contact the Marin County Office of the District Attorney: 415-473-6450. Additional information on Human Trafficking can be found at: <https://www.dhs.gov/blue-campaign/what-human-trafficking>

County-operated service compliance shall be achieved through:

1. Approval of SABG Performance Contract and DMC-ODS IA by Board of Supervisors or authorized designee agreeing to all conditions set forth in the contract.
2. Attestation to compliance with the Trafficking Victims Protection Act of 2000 at the annual DHCS Monitoring review.
3. Annual completion of Self Audit, including County Alcohol & Drug Administrator’s signed attestation of adherence to all laws and regulations.
4. At annual Site Visit, Quality Management shall review relevant procedures to assess compliance with the Trafficking Victims Protection Act of 2000.

BHRS
Checklist for New or Revised Policies and Procedures

Please submit this checklist to the BHRS Policy and Procedure Working Group Lead along with the first draft copy of your policy and accompanying documents.

Date of initial submission: 10/20/2020

Type of Update:

- New – Justification:
- Revision to Existing Policy or Procedure, Policy Number:

Complete Title of Policy:

Lead Staff Name / Subject Matter Expert: Jordan Hall

Other Staff Involved in Drafting of Policy: Cat Condon/Sara Fusenig

System(s) of Care Affected: ALL BHRS Mental Health Only SUDS only

1. For **new** policies, summarize what the policy covers and explain the need for a new policy.
OR

For **revised** policies, summarize the changes that need to be made to the existing policy:
added reporting and additional information links, updated references

2. List any existing governmental regulations that relate to policy or state "None":
Trafficking Victims Protection Act of 2000 (22USC, Chapter 78, Section 7104 (g)) as ar

3. Describe how policy will impact consumer access to care or state "N/A":
NA

4. Have you compared this policy to similar policies in other counties? Yes No
If so, list counties whose policies were reviewed:

5. Will this policy require staff training? Yes No
If so, indicate what staff will need to be trained and what training will be needed.

6. Will forms need to be developed or revised for this policy or policy update? Yes No If so, list forms that will need to be developed or revised (please list form number if available):

7. Describe any other changes that will need to be made in Behavioral Health (financial, consumer care, etc.) as a result of this policy:

NA already included in annual Provider Self-Audit

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8. Who needs to review this policy?

BHRS staff:

Other County Staff:

Community partners: