

Assembly Bill 2790

Centering Survivor Safety and Health

Assemblymember Buffy Wicks (AD-15)

THIS BILL

AB 2790 would center survivor safety and health by mandating that victims of domestic and sexual violence get referred to community-based and national domestic and sexual violence advocacy services.

THE ISSUE

Current law requires health care providers to make a report to law enforcement when treating violent physical injuries, even when the injured patient does not want to make a report. This required reporting may keep survivors from seeking help or sharing information with their health care providers due to fear of unwanted contact with police. Right now, California is one of only several states that require health providers to report to law enforcement if they are treating patients for such a broad range of violent physical injuries, explicitly including domestic and sexual violence – even if the patient does not want the report to be made.

While the current statute covers a broad range of physical injuries, survivors of domestic and sexual violence can be put in **more danger** with non-consensual reports to law enforcement. In a survey done by the National Domestic Violence Hotline, of survivors who had experienced mandated reporting [83 percent stated mandatory reporting made the situation much worse, somewhat worse, or did nothing to improve the domestic violence situation](#). Another study found that [59 percent of emergency department-based providers in California reported that they may not comply with the law if their patient did not want them to make a report](#). Other research demonstrates that mandatory reporting laws can [discourage](#)

[immigrant survivors from seeking health care](#) due to fear that law enforcement involvement could lead to detention or deportation for themselves or their family in cases where they lack protected status. These reasons are partially why the [WHO](#), [AMA](#), [ACEP](#), [AWHONN](#), and other health care associations oppose medical mandated reporting for adults.

When providers are able to have open, trauma-informed conversations with patients about abuse, [survivors are four times more likely to access an intervention](#), such as domestic violence advocacy. This research underscores the importance of consistent, trusting, patient-centered health care responses.

SOLUTION

AB 2790 provides a survivor-centered, trauma-informed approach that will modernize current law. Specifically, this bill will limit the mandate for health providers to report injuries to only firearm injuries to law enforcement. In addition, if a health provider knows or suspects a patient is experiencing any kind of domestic and sexual violence (not just physical), they will be required to offer a referral to a local domestic violence and sexual violence advocacy program or the National Domestic Violence hotline.

Changes in this statute would not affect the separate statutes that require medical mandated reporting for child abuse and elder abuse. In addition, patients can still work with law enforcement if that is what they choose. AB 2790 simply ensures survivors are provided the agency and information they need to be safe and healthy.

SUPPORT

Futures Without Violence (Co-Sponsor)
Alliance for Boys and Men of Color (Co-Sponsor)
UC Irvine Domestic Violence Law Clinic (Co-Sponsor)
A New Way of Life Re-Entry Project
Academy on Violence and Abuse
Access Reproductive Justice
ACLU California Action
American College of Obstetricians and Gynecologists – CA (ACOG)
Asian Americans for Community Involvement
Bay Area Women Against Rape
Bay Area Legal Aid
California Consortium for Urban Indian Health
California Health Care Providers
California Nurses Association
California Latinas for Reproductive Justice
California Nurse Midwives Association
California Pan-Ethnic Health Network
California Partnership to End Domestic Violence (CPEDV)
Center on Juvenile and Criminal Justice
The Center on Partner-Inflicted Brain Injury – (Ohio Domestic Violence Network)
Coalition to Abolish Slavery and Trafficking
The Collective Healing and Transformation Project
Community Solutions
Culturally Responsive Domestic Violence Network
DeafHope
Do No Harm Coalition
DPH Must Divest
Drug Policy Alliance
East Los Angeles Women’s Center
Ella Baker Center for Human Rights
Family Violence Appellate Project
Family Violence Law Center
Father Joe’s Village
FreeFrom
Heal Trafficking
International Association of Forensic Nurses
Jenesse Center, Inc.
Korean American Family Services, Inc.
La Defensa
Laura’s House

Los Angeles LGBT Center
Lumina Alliance
Miracles Counseling Center
Mirror Memoirs, A Project of Community Partners
National Institute for Criminal Justice Reform
Next Door Solutions to Domestic Violence
Partnerships for Trauma Recovery
Planned Parenthood Mar Monte
Public Health Institute
San Francisco Department of Public Health
Sojourn
Starting Over, Inc.
The Health Alliance for Violence Intervention
ValorUS
Urban Strategies Council
Watts Healthcare Corporation
Women’s Center Youth and Family Services
Women’s Foundation California
Women’s Transitional Living Center
The Young Women’s Freedom Center
YWCA of San Gabriel Valley

CONTACT

Samantha Huynh
Office of Assemblymember Buffy Wicks
Samantha.Huynh@asm.ca.gov
(916) 319-2015