



# Arkansas Department of Health Awareness Program

**Female Genital  
Mutilation**  
Legislative Report  
December 2021

Arkansas Act 556:

Unlawful Female Genital Mutilation of a Minor

## Table of Contents

<b>Introduction</b> .....	<b>2</b>
Overview of Act 556 of 2019.....	2
<b>Awareness Program</b> .....	<b>3</b>
<b>Prevalence of Unlawful FGM of Minors in Arkansas SFY 2021</b> .....	<b>5</b>
Reporting Process and Procedures .....	6
Cases of Unlawful FGM of Minors Reported by Healthcare Practitioners .....	7
Complaints of Unlawful FGM of Minors by a Licensed Medical Professional .....	7
Convictions of Unlawful FGM of Minors by a Licensed Medical Professional.....	7
<b>Appendix</b> .....	<b>8</b>
Act 556 of 2019 .....	8
Fact Sheet: Female Genital Mutilation .....	8
Best Practices for Providing Health Services to Victims of FGM .....	8
PowerPoint Slides: General Overview of FGM .....	8
PowerPoint Slides: FGM – An Overview for Healthcare Professionals .....	8

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## INTRODUCTION

Female genital mutilation (FGM), sometimes called “female cutting” or “female circumcision,” is described by the World Health Organization (WHO) as comprising “all procedures that involve partial or total removal of the external female genitals, or other injury to the female genital organs for non-medical reasons.”

FGM is sometimes called "female circumcision." FGM is not the same as male circumcision. The practice has no health benefits and can lead to a range of physical and mental health problems. The reasons given for performing FGM encompass beliefs about health, women’s sexuality, and community and adulthood initiation rites.<sup>1</sup>

FGM is against the law in the United States.

### **Arkansas Act 556 of 2019**

Act 556 of 2019 was enacted to prohibit unlawful female genital mutilation (FGM) of a minor. The Act:

- Defined the criminal offense for committing unlawful FGM of a minor
- Amended the Child Maltreatment Act to include unlawful FGM of a minor as a definition of abuse
- Provided a civil cause of action for victims of unlawful FGM of a minor
- Added unlawful FGM of a minor by a medical professional to the Arkansas Medical Practices Act and authorized state medical professional licensing entities to institute disciplinary actions against licensed medical professionals who are convicted of committing unlawful FGM of a minor
- Established an awareness program administered by the Arkansas Department of Health (ADH)
- Required ADH to compile an annual report of any incidents of unlawful FGM reported by health practitioners in each county in Arkansas

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<sup>1</sup> For more information about female genital mutilation, including links to scientific studies and other resources, refer to the ADH fact sheet on female genital mutilation available here: [https://www.healthy.arkansas.gov/images/uploads/pdf/FGM\\_FACT\\_SHEET\\_FINAL\\_1-15-2020.pdf](https://www.healthy.arkansas.gov/images/uploads/pdf/FGM_FACT_SHEET_FINAL_1-15-2020.pdf).

## AWARENESS PROGRAM

The Arkansas Department of Health partnered with the Arkansas Division of Elementary and Secondary Education, Arkansas Department of Human Services, Arkansas Association of Chiefs of Police, Arkansas Sheriffs' Association, Arkansas State Police, Arkansas Nursing Board, and the Arkansas Medical Board to develop strategies to increase awareness of unlawful female genital mutilation (FGM) of minors, prevent unlawful FGM, protect and provide assistance to victims of unlawful FGM, and to ensure awareness and compliance with the criminal penalties for committing unlawful FGM.

2020-2021 activities included:

- The Arkansas Department of Health has continued to follow research studies in efforts to improve strategies to increase awareness of unlawful female genital mutilation (FGM) of minors, prevent unlawful FGM, protect and provide assistance to victims of unlawful FGM, and to ensure awareness and compliance with the criminal penalties for committing unlawful FGM.
- During research, ADH found information regarding a Women's Health Needs Study (WHNS) that CDC engaged the National Opinion Research Center (NORC) at the University of Chicago to design and pilot. This is the first multi-study in the United States to collect FGM information. The study was completed in 2019. Implementation is planned for 2020-2021 in up to six U.S. communities. The populations are high concentrated areas from FGM/C-prevalence countries. ADH will continue to follow the outcomes of the study.
  - ❖ Women's Health Needs Study (WHNS)<sup>2</sup> will collect:
    - Women's Health experiences and behaviors
    - Attitudes from U.S. resident women aged 18-49 who were born, or whose mothers were born, in a country where FGM/C is a prevalent practice
- ADH's Center for Health Advancement has enrolled in the Centers for Disease Control and Prevention (CDC) distribution list for Female Genital Mutilation/Cutting (FGM/C) updates<sup>3</sup>.
- The Office of Women's Health (OWH) published a fact sheet that provides an OWH helpline number and additional contacts for FGM/C support.<sup>4</sup> ADH will distribute to all partners by mid-March 2022.

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<sup>2</sup> [Women's Health Needs Study of U.S. Residents from Countries with Common Practice of Female Genital Mutilation and Cutting | NORC.org](#)

<sup>3</sup> [Female Genital Mutilation/Cutting \(FGM/C\) | CDC](#)

<sup>4</sup> [OWH Female Genital Mutilation or Cutting Fact Sheet \(owh-wh-d9-dev.s3.amazonaws.com\)](#)

The continuation activities included:

- Arkansas Department of Health (ADH) reproducible fact sheets and a PowerPoint slide presentation to help educators, law enforcement officials, and the general public increase their knowledge regarding unlawful female genital mutilation of a minor.
  - ❖ This material addresses:
    - What it is
    - Health effects
    - Risk factors
    - Signs that an individual may be a victim
    - Criminal penalties
    - How to report suspected maltreatment
  - ❖ The PowerPoint slides and Fact sheets are available on the ADH website.
    - Materials:
      - Female Genital Mutilation Fact Sheet:  
[https://www.healthy.arkansas.gov/images/uploads/pdf/FGM\\_FACT\\_SHEET\\_FINAL\\_1-15-2020.pdf](https://www.healthy.arkansas.gov/images/uploads/pdf/FGM_FACT_SHEET_FINAL_1-15-2020.pdf)
      - Female Genital Mutilation PowerPoint Presentation  
[https://www.healthy.arkansas.gov/images/uploads/pdf/FGM\\_Overview\\_General\\_FINAL\\_last\\_REVISED\\_8.1.19\\_ohc\\_-\\_logo.pdf](https://www.healthy.arkansas.gov/images/uploads/pdf/FGM_Overview_General_FINAL_last_REVISED_8.1.19_ohc_-_logo.pdf)
      - ADH Website Page with Information and Resources  
<https://www.healthy.arkansas.gov/programs-services/topics/female-genital-mutilation>
- Arkansas Department of Health (ADH) reproducible fact sheet, PowerPoint presentation, and reproducible guide to best practices to help healthcare practitioners increase their knowledge regarding unlawful female genital mutilation of a minor, prevent unlawful FGM, and protect and provide assistance to victims of unlawful FGM.
  - ❖ This material addresses:
    - What it is
    - Health effects
    - Risk factors

- Signs that an individual may be a victim
  - Criminal penalties
  - Mandatory reporting requirements
  - Best practices for responses to victims of FGM, including key recommendations for providing health services
- ❖ The PowerPoint presentation slides, fact sheet, and guide to best practices are available on the ADH website.
- Overview of Female Genital Mutilation:  
[https://www.healthy.arkansas.gov/images/uploads/pdf/FGM\\_FACT\\_SHEET\\_FINAL\\_1-15-2020.pdf](https://www.healthy.arkansas.gov/images/uploads/pdf/FGM_FACT_SHEET_FINAL_1-15-2020.pdf)
  - Best Practices for Providing Health Services to Victims of Female Genital Mutilation:  
[https://www.healthy.arkansas.gov/images/uploads/pdf/ADH\\_Best\\_Practices\\_FGM\\_12-4-19\\_FINAL.pdf](https://www.healthy.arkansas.gov/images/uploads/pdf/ADH_Best_Practices_FGM_12-4-19_FINAL.pdf)
  - PowerPoint: Female Genital Mutilation: An Overview for Health Care Professionals  
[https://www.healthy.arkansas.gov/images/uploads/pdf/FGM\\_Overview\\_for\\_Nurses\\_FINAL\\_-\\_Logo\\_update.pdf](https://www.healthy.arkansas.gov/images/uploads/pdf/FGM_Overview_for_Nurses_FINAL_-_Logo_update.pdf)
  - ADH Website Page with Information and Resources  
<https://www.healthy.arkansas.gov/programs-services/topics/female-genital-mutilation>
- ❖ The Arkansas Department of Health (ADH) Arkansas TRAIN course provides ADH healthcare professionals training to increase their knowledge regarding FGM and any civil cause of action related to violation of ACT 556 of 2019. The course provides nurse continuing education units.

## **PREVALENCE OF UNLAWFUL FEMALE GENITAL MUTILATION OF MINORS IN ARKANSAS SFY 2021**

## **Reporting Processes and Procedures**

Act 556 of 2019 amended two codes sections that provide mandatory mechanisms for tracking the prevalence of unlawful female genital mutilation of minors in Arkansas:

- Arkansas Code § 12-18-103, concerning definitions related to child maltreatment, was amended to include female genital mutilation.
  - ❖ Under Arkansas Code § 12-18-402, all healthcare practitioners in Arkansas are “mandated reporters” of child maltreatment. Healthcare practitioners and all other mandated reporters must immediately notify the Arkansas Child Abuse Hotline established by the Arkansas Department of Human Services if he or she 1) has reasonable cause to suspect that a child has been subject to child maltreatment or died as a result of child maltreatment or 2) observes a child being subject to conditions or circumstances that would reasonably result in child maltreatment.<sup>5,6</sup>
  - ❖ In compliance with Act 556 of 2019, the Arkansas Department of Human Services (DHS) began tracking the cases of unlawful female genital mutilation reported to the Arkansas Child Abuse Hotline in December 2019. ADH and DHS formed a partnership to provide ADH with annual data on the number of incidents of unlawful female genital mutilation reported to the Arkansas Child Abuse Hotline. By tracking the number of incidents of FGM reported by healthcare practitioners through this robust mandatory reporting mechanism, ADH has access to the most comprehensive reporting data available in Arkansas, including not only healthcare practitioners, but the public and all mandatory reporters, such as law enforcement officials, child abuse advocates, clergy, and teachers.
- Arkansas Code § 17-80-121, within the Arkansas Medical Practices Act, was amended to include a provision that a state agency, board, or commission authorized to issue a license to a medical professional under the laws of this state shall institute disciplinary action against a licensed medical professional over whom the state agency, board, or commission has jurisdiction and who is convicted of unlawful female genital mutilation of a minor.

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<sup>5</sup> The Arkansas Child Abuse Hotline Call Center is staffed by a team of specially trained personnel from the Crimes Against Children Division of Arkansas State Police. An investigation may ensue based upon reports which meet the criteria of state and federal laws.

<sup>6</sup> Mandated reporters of child maltreatment can submit reports 24-hours a day, seven days a week by: 1) Calling toll-free phone numbers 1-844-SAVE-A-CHILD (1-844-728-3224) or 1-800-482-5964 or 2) Faxing a report to (501) 618-8952 using a telephone facsimile reporting template which can be found at:

[https://static.ark.org/eeuploads/asp/cacd\\_suspected\\_abuse\\_fax\\_template\\_112013.pdf](https://static.ark.org/eeuploads/asp/cacd_suspected_abuse_fax_template_112013.pdf)

### **Cases of Unlawful FGM of Minors Reported by Healthcare Practitioners of Each County:**

In SFY 2021, healthcare practitioners in Arkansas reported two cases of unlawful female genital mutilation of a minor to the Arkansas Child Abuse Hotline.<sup>7</sup> One case each was reported in Pulaski and Faulkner County.

In SFY 2021, the ADH healthcare practitioners practicing in all ADH local health units across the state reported zero cases of unlawful genital mutilation of a minor.<sup>8</sup>

### **Complaints of Unlawful FGM of Minors by a Licensed Medical Professional:**

In SFY 2021, the Arkansas Medical Board and the Arkansas Nursing Board reported that they received zero complaints of unlawful female genital mutilation of a minor against a licensed medical professional under their jurisdiction.

In SFY 2021, the ADH Center for Local Public Health reported that they received zero complaints of unlawful female genital mutilation of a minor against licensed medical professionals in ADH local health units across the state.<sup>9</sup>

### **Convictions of Unlawful FGM of Minors by a Licensed Medical Professional:**

In SFY 2021, the Arkansas Medical Board and the Arkansas Nursing Board reported that zero licensed medical professionals under their jurisdiction were convicted of unlawful female genital mutilation of a minor.

In SFY 2021, the ADH Center for Local Public Health reported that zero licensed medical professionals in ADH local health units were convicted of unlawful female genital mutilation of a minor.

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<sup>7</sup> There have been two reported incidents of unlawful female genital mutilation of a minor to the Arkansas Child Abuse Hotline for SFY 2021.

<sup>8</sup> ADH healthcare professionals are also mandatory reporters to the Arkansas Child Abuse Hotline.

<sup>9</sup> ADH physicians and nurses are licensed to practice in Arkansas and are under the jurisdiction of the Arkansas Medical Board and the Arkansas Nursing Board, respectively.



## APPENDIX

- ACT 556 of 2019:  
[https://www.healthy.arkansas.gov/images/uploads/pdf/Act556\\_of\\_2019 - FGM.PDF](https://www.healthy.arkansas.gov/images/uploads/pdf/Act556_of_2019_-_FGM.PDF)
- Fact Sheet: Overview of Female Genital Mutilation  
[https://www.healthy.arkansas.gov/images/uploads/pdf/FGM FACT SHEET FINAL 1-15-2020.pdf](https://www.healthy.arkansas.gov/images/uploads/pdf/FGM_FACT_SHEET_FINAL_1-15-2020.pdf)
- Fact Sheet: Female Genital Mutilation or Cutting [OWH Female Genital Mutilation or Cutting Fact Sheet \(owh-wh-d9-dev.s3.amazonaws.com\)](https://www.healthy.arkansas.gov/images/uploads/pdf/OWH_Female_Genital_Mutilation_or_Cutting_Fact_Sheet_(owh-wh-d9-dev.s3.amazonaws.com))
- “FGM and Cutting at the Intersections of Domestic Violence and Sexual Assault: Expert Voices of Victim Service Providers in the Field” (video made available by the United States Department of Justice) <https://www.justice.gov/ovw/video/female-genital-mutilation-and-cutting-intersections-domestic-violence-and-sexual-assault>
- Best Practices for Providing Health Services to Victims of Female Genital Mutilation  
[https://www.healthy.arkansas.gov/images/uploads/pdf/ADH Best Practices FGM 12-4-19 FINAL.pdf](https://www.healthy.arkansas.gov/images/uploads/pdf/ADH_Best_Practices_FGM_12-4-19_FINAL.pdf)
- PowerPoint: Female Genital Mutilation: A General Overview  
[https://www.healthy.arkansas.gov/images/uploads/pdf/FGM Overview General FINAL last REVISED 8.1.19 ohc - logo.pdf](https://www.healthy.arkansas.gov/images/uploads/pdf/FGM_Overview_General_FINAL_last_REVISED_8.1.19_ohc_-_logo.pdf)
- PowerPoint: Female Genital Mutilation: An Overview for Health Care Professionals  
[https://www.healthy.arkansas.gov/images/uploads/pdf/FGM Overview for Nurses FINAL - Logo update.pdf](https://www.healthy.arkansas.gov/images/uploads/pdf/FGM_Overview_for_Nurses_FINAL_-_Logo_update.pdf)