

By Senator Smith

5-273-02

1 A bill to be entitled
2 An act relating to the Florida Retirement
3 System; amending s. 121.091, F.S.; providing
4 eligibility of certain medical and emergency
5 personnel providing services at county
6 detention facilities for membership in the
7 Special Risk Class; providing an effective
8 date.

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10 Be It Enacted by the Legislature of the State of Florida:

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12 Section 1. Subsection (2) of section 121.091, Florida
13 Statutes, is amended to read:

14 121.0515 Special risk membership.--

15 (2) CRITERIA.--A member, to be designated as a special
16 risk member, must meet the following criteria:

17 (a) The member must be employed as a law enforcement
18 officer and be certified, or required to be certified, in
19 compliance with s. 943.1395; however, sheriffs and elected
20 police chiefs shall be excluded from meeting the certification
21 requirements of this paragraph. In addition, the member's
22 duties and responsibilities must include the pursuit,
23 apprehension, and arrest of law violators or suspected law
24 violators; or the member must be an active member of a bomb
25 disposal unit whose primary responsibility is the location,
26 handling, and disposal of explosive devices; or the member
27 must be the supervisor or command officer of a member or
28 members who have such responsibilities; provided, however,
29 administrative support personnel, including, but not limited
30 to, those whose primary duties and responsibilities are in

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1 accounting, purchasing, legal, and personnel, shall not be
2 included;

3 (b) The member must be employed as a firefighter and
4 be certified, or required to be certified, in compliance with
5 s. 633.35 and be employed solely within the fire department of
6 a local government employer or an agency of state government
7 with firefighting responsibilities. In addition, the member's
8 duties and responsibilities must include on-the-scene fighting
9 of fires, fire prevention, or firefighter training; direct
10 supervision of firefighting units, fire prevention, or
11 firefighter training; or aerial firefighting surveillance
12 performed by fixed-wing aircraft pilots employed by the
13 Division of Forestry of the Department of Agriculture and
14 Consumer Services; or the member must be the supervisor or
15 command officer of a member or members who have such
16 responsibilities; provided, however, administrative support
17 personnel, including, but not limited to, those whose primary
18 duties and responsibilities are in accounting, purchasing,
19 legal, and personnel, shall not be included;

20 (c) The member must be employed as a correctional
21 officer and be certified, or required to be certified, in
22 compliance with s. 943.1395. In addition, the member's
23 primary duties and responsibilities must be the custody, and
24 physical restraint when necessary, of prisoners or inmates
25 within a prison, jail, or other criminal detention facility,
26 or while on work detail outside the facility, or while being
27 transported; or the member must be the supervisor or command
28 officer of a member or members who have such responsibilities;
29 provided, however, administrative support personnel,
30 including, but not limited to, those whose primary duties and
31 responsibilities are in accounting, purchasing, legal, and

1 personnel, shall not be included; however, wardens and
2 assistant wardens, as defined by rule, shall participate in
3 the Special Risk Class;

4 (d) The member must be employed by a licensed Advance
5 Life Support (ALS) or Basic Life Support (BLS) employer as an
6 emergency medical technician or a paramedic and be certified
7 in compliance with s. 401.27. In addition, the member's
8 primary duties and responsibilities must include on-the-scene
9 emergency medical care or direct supervision of emergency
10 medical technicians or paramedics, or the member must be the
11 supervisor or command officer of one or more members who have
12 such responsibility. However, administrative support
13 personnel, including, but not limited to, those whose primary
14 responsibilities are in accounting, purchasing, legal, and
15 personnel, shall not be included;

16 (e) The member must be employed as a community-based
17 correctional probation officer and be certified, or required
18 to be certified, in compliance with s. 943.1395. In addition,
19 the member's primary duties and responsibilities must be the
20 supervised custody, surveillance, control, investigation, and
21 counseling of assigned inmates, probationers, parolees, or
22 community controllees within the community; or the member must
23 be the supervisor of a member or members who have such
24 responsibilities. Administrative support personnel, including,
25 but not limited to, those whose primary duties and
26 responsibilities are in accounting, purchasing, legal
27 services, and personnel management, shall not be included;
28 however, probation and parole circuit and deputy circuit
29 administrators shall participate in the Special Risk Class; ~~or~~

30 (f) The member must be employed in one of the
31 following classes and must spend at least 75 percent of his or

1 her time performing duties which involve contact with patients
2 or inmates in a correctional or forensic facility or
3 institution:
4 1. Dietitian (class codes 5203 and 5204)i;
5 2. Public health nutrition consultant (class code
6 5224)i;
7 3. Psychological specialist (class codes 5230 and
8 5231)i;
9 4. Psychologist (class code 5234)i;
10 5. Senior psychologist (class codes 5237 and 5238)i;
11 6. Regional mental health consultant (class code
12 5240)i;
13 7. Psychological Services Director--DCF (class code
14 5242)i;
15 8. Pharmacist (class codes 5245 and 5246)i;
16 9. Senior pharmacist (class codes 5248 and 5249)i;
17 10. Dentist (class code 5266)i;
18 11. Senior dentist (class code 5269)i;
19 12. Registered nurse (class codes 5290 and 5291)i;
20 13. Senior registered nurse (class codes 5292 and
21 5293)i;
22 14. Registered nurse specialist (class codes 5294 and
23 5295)i;
24 15. Clinical associate (class codes 5298 and 5299)i;
25 16. Advanced registered nurse practitioner (class
26 codes 5297 and 5300)i;
27 17. Advanced registered nurse practitioner specialist
28 (class codes 5304 and 5305)i;
29 18. Registered nurse supervisor (class codes 5306 and
30 5307)i;
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- 1 19. Senior registered nurse supervisor (class codes
2 5308 and 5309);~~;~~
3 20. Registered nursing consultant (class codes 5312
4 and 5313);~~;~~
5 21. Quality management program supervisor (class code
6 5314);~~;~~
7 22. Executive nursing director (class codes 5320 and
8 5321);~~;~~
9 23. Speech and hearing therapist (class code 5406); ~~or~~
10 24. Pharmacy manager (class code 5251);~~;~~
11 (g) The member must be employed as a youth custody
12 officer and be certified, or required to be certified, in
13 compliance with s. 943.1395. In addition, the member's primary
14 duties and responsibilities must be the supervised custody,
15 surveillance, control, investigation, apprehension, arrest,
16 and counseling of assigned juveniles within the community; ~~or~~
17 (h) The member must be a provider of medical or
18 emergency services in a county detention facility, as defined
19 in s. 951.23.

20 Section 2. This act shall take effect October 1, 2002.

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23 SENATE SUMMARY

24 Makes employees who provide medical or emergency services
25 in a county detention facility eligible for membership in
26 the Special Risk Class of the Florida Retirement System.
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