

By Senator Fasano

11-897-04

1 A bill to be entitled
2 An act relating to the Florida Retirement
3 System; amending s. 121.0515, F.S.; providing
4 membership in the Special Risk Class for
5 persons employed as nurses in county
6 correctional facilities; providing an effective
7 date.

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

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11 Section 1. Subsection (2) of section 121.0515, Florida
12 Statutes, is amended to read:

13 121.0515 Special risk membership.--

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

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

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

23 (c) The member must be employed as a correctional
24 officer and be certified, or required to be certified, in
25 compliance with s. 943.1395. In addition, the member's
26 primary duties and responsibilities must be the custody, and
27 physical restraint when necessary, of prisoners or inmates
28 within a prison, jail, or other criminal detention facility,
29 or while on work detail outside the facility, or while being
30 transported; or the member must be the supervisor or command
31 officer of a member or members who have such responsibilities;

1 provided, however, administrative support personnel,
2 including, but not limited to, those whose primary duties and
3 responsibilities are in accounting, purchasing, legal, and
4 personnel, shall not be included; however, wardens and
5 assistant wardens, as defined by rule, shall participate in
6 the Special Risk Class;

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

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

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1 however, probation and parole circuit and deputy circuit
2 administrators shall participate in the Special Risk Class; ~~or~~

3 (f) The member must be employed in one of the
4 following classes and must spend at least 75 percent of his or
5 her time performing duties which involve contact with patients
6 or inmates in a correctional or forensic facility or
7 institution:

- 8 1. Dietitian (class codes 5203 and 5204).
- 9 2. Public health nutrition consultant (class code
10 5224).
- 11 3. Psychological specialist (class codes 5230 and
12 5231).
- 13 4. Psychologist (class code 5234).
- 14 5. Senior psychologist (class codes 5237 and 5238).
- 15 6. Regional mental health consultant (class code
16 5240).
- 17 7. Psychological Services Director--DCF (class code
18 5242).
- 19 8. Pharmacist (class codes 5245 and 5246).
- 20 9. Senior pharmacist (class codes 5248 and 5249).
- 21 10. Dentist (class code 5266).
- 22 11. Senior dentist (class code 5269).
- 23 12. Registered nurse (class codes 5290 and 5291).
- 24 13. Senior registered nurse (class codes 5292 and
25 5293).
- 26 14. Registered nurse specialist (class codes 5294 and
27 5295).
- 28 15. Clinical associate (class codes 5298 and 5299).
- 29 16. Advanced registered nurse practitioner (class
30 codes 5297 and 5300).

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- 1 17. Advanced registered nurse practitioner specialist
2 (class codes 5304 and 5305).
3 18. Registered nurse supervisor (class codes 5306 and
4 5307).
5 19. Senior registered nurse supervisor (class codes
6 5308 and 5309).
7 20. Registered nursing consultant (class codes 5312
8 and 5313).
9 21. Quality management program supervisor (class code
10 5314).
11 22. Executive nursing director (class codes 5320 and
12 5321).
13 23. Speech and hearing therapist (class code 5406).
14 ~~or~~
15 24. Pharmacy manager (class code 5251);
16 (g) The member must be employed as a youth custody
17 officer and be certified, or required to be certified, in
18 compliance with s. 943.1395. In addition, the member's primary
19 duties and responsibilities must be the supervised custody,
20 surveillance, control, investigation, apprehension, arrest,
21 and counseling of assigned juveniles within the community; ~~or~~.
22 (h) The member must be employed as a nurse whose
23 duties involve contact with inmates in a county correctional
24 facility.

25 Section 2. This act shall take effect October 1, 2004.

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28 SENATE SUMMARY

29 Extends membership in the Special Risk Class of the
30 Florida Retirement System to nurses who are employed in
31 county correctional facilities in the same manner as is
provided for nurses employed in state correctional
facilities.