

By Senator Lawson

6-1570-04

1 A bill to be entitled
2 An act relating to the Florida Retirement
3 System; amending s. 121.0515, F.S.; providing
4 eligibility of certain treatment and
5 rehabilitation personnel at correctional or
6 forensic 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 121.0515, 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 and further
20 provided that all periods of creditable service in fire
21 prevention or firefighter training, or as the supervisor or
22 command officer of a member or members who have such
23 responsibilities, and for which the employer paid the special
24 risk contribution rate, shall be included;

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

1 transported; or the member must be the supervisor or command
2 officer of a member or members who have such responsibilities;
3 provided, however, administrative support personnel,
4 including, but not limited to, those whose primary duties and
5 responsibilities are in accounting, purchasing, legal, and
6 personnel, shall not be included; however, wardens and
7 assistant wardens, as defined by rule, shall participate in
8 the Special Risk Class;

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

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

1 services, and personnel management, shall not be included;
2 however, probation and parole circuit and deputy circuit
3 administrators shall participate in the Special Risk Class; ~~or~~
4 (f) The member must be employed in one of the
5 following classes and must spend at least 75 percent of his or
6 her time performing duties which involve contact with patients
7 or inmates in a correctional or forensic facility or
8 institution:
9 1. Dietitian (class codes 5203 and 5204);~~;~~
10 2. Public health nutrition consultant (class code
11 5224);~~;~~
12 3. Psychological specialist (class codes 5230 and
13 5231);~~;~~
14 4. Psychologist (class code 5234);~~;~~
15 5. Senior psychologist (class codes 5237 and 5238);~~;~~
16 6. Regional mental health consultant (class code
17 5240);~~;~~
18 7. Psychological Services Director--DCF (class code
19 5242);~~;~~
20 8. Pharmacist (class codes 5245 and 5246);~~;~~
21 9. Senior pharmacist (class codes 5248 and 5249);~~;~~
22 10. Dentist (class code 5266);~~;~~
23 11. Senior dentist (class code 5269);~~;~~
24 12. Registered nurse (class codes 5290 and 5291);~~;~~
25 13. Senior registered nurse (class codes 5292 and
26 5293);~~;~~
27 14. Registered nurse specialist (class codes 5294 and
28 5295);~~;~~
29 15. Clinical associate (class codes 5298 and 5299);~~;~~
30 16. Advanced registered nurse practitioner (class
31 codes 5297 and 5300);~~;~~

- 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); ~~or~~
14 24. Pharmacy manager (class code 5251);~~;~~
15 25. Unit treatment and rehabilitation specialist F/C
16 (class code 5791);
17 26. Unit treatment and rehabilitation specialist
18 (class code 5776);
19 27. Licensed practical nurse (class code 5599);
20 28. Behavioral program associate-F/C (class code
21 5762);
22 29. Behavioral program specialist-F/C (class code
23 5763);
24 30. Chaplain-F/C (class code 5819);
25 31. Classroom teacher I-F/C (class code 4146);
26 32. Classroom teacher II-F/C (class code 4147);
27 33. Dental assistant-F/C (class code 5633);
28 34. Dental hygienist-F/C (class code 5642);
29 35. Human service counselor II-F/C (class code 5937);
30 36. Human service counselor III-F/C (class code 5941);
31 37. Human service worker I-F/C (class code 5781);

- 1 38. Human service worker I (class code 5706);
2 39. Human service worker II (class code 5709);
3 40. Human service worker II-F/C (class code 5784);
4 41. Institutional counselor F/C (class code 5932);
5 42. Librarian F/C (class code 4316);
6 43. Librarian specialist F/C (class code 4319);
7 44. Mental health program analyst F/C (class code
8 5880);
9 45. Rehabilitation therapist F/C (class code 5563);
10 46. Rehabilitation therapist (class code 5562);
11 47. Teacher aide F/C (class code 4133);
12 48. Teacher aide (class code 4142);
13 49. Therapy aide II-F/C (class code 5558);
14 50. Vocational instructor II-F/C (class code 1313);
15 51. Vocational instructor III-F/C (class code 1315);
16 52. Senior licensed practical nurse-F/C (class code
17 5598);
18 53. Medical technician I-F/C (class code 5601);
19 54. Medical technician II-F/C (class code 5804);
20 55. Senior physician (class code 5281); or
21 56. Physician (class code 5278);
22 (g) The member must be employed by the Department of
23 Children and Family Services in one of the following classes
24 and must spend as least 75 percent of his or her time
25 performing duties that involve contact with patients or
26 inmates in a forensic facility or institution:
27 1. Unit treatment and rehabilitation senior supervisor
28 I-F/C (class code 5793);
29 2. Unit treatment and rehabilitation senior supervisor
30 II-F/C (class code 5796);
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- 1 3. Unit treatment and rehabilitation supervisor I-F/C
2 (class code 5786);
3 4. Unit treatment and rehabilitation senior supervisor
4 I (class code 5777);
5 5. Unit treatment and rehabilitation senior supervisor
6 II (class code 5778);
7 6. Unit treatment and rehabilitation supervisor III
8 (class code 5780);
9 7. Unit treatment and rehabilitation senior supervisor
10 III-F/C (class code 5799);
11 8. Unit treatment and rehabilitation supervisor I
12 (class code 5710); or
13 9. Physician F/C (class code 5728);
14 (h)(g) The member must be employed as a youth custody
15 officer and be certified, or required to be certified, in
16 compliance with s. 943.1395. In addition, the member's primary
17 duties and responsibilities must be the supervised custody,
18 surveillance, control, investigation, apprehension, arrest,
19 and counseling of assigned juveniles within the community.
20 Section 2. This act shall take effect July 1, 2004.

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23 SENATE SUMMARY

24 Makes additional personnel who provide treatment and
25 rehabilitation services at correctional or forensic
26 facilities eligible for membership in the Special Risk
27 Class of the Florida Retirement System.
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