

By Senator Smith

14-328-04

1                                   A bill to be entitled  
2           An act relating to Florida Retirement System;  
3           amending s. 121.0515, 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 121.0515, 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           (g) The member must be employed as a youth custody
- 16 officer and be certified, or required to be certified, in
- 17 compliance with s. 943.1395. In addition, the member's primary
- 18 duties and responsibilities must be the supervised custody,
- 19 surveillance, control, investigation, apprehension, arrest,
- 20 and counseling of assigned juveniles within the community; ~~or~~;
- 21           (h) The member must be a provider of medical or
- 22 emergency services in a county detention facility, as defined
- 23 in s. 951.23.

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

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27           SENATE SUMMARY

28           Includes within the Special Risk Class of the Florida  
29           Retirement System employees who provide medical or  
30           emergency services in a county detention facility.

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