

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

1 Representative Richardson offered the following:

2
3 **Amendment (with directory and title amendments)**

4 Remove line 53 and insert:

5 by section 1 of this act.

6 Section 4. Paragraph (f) is added to subsection (15) of
7 section 121.021, Florida Statutes, to read:

8 121.021 Definitions.--The following words and phrases as
9 used in this chapter have the respective meanings set forth
10 unless a different meaning is plainly required by the context:

11 (15)

12 (f) Effective July 1, 2006, the term "special risk member"
13 includes any member who is employed by the Department of
14 Corrections or the Department of Children and Family Services
15 and meets the special criteria set forth in s. 121.0515(2)(i).

16 Section 5. Subsection (2) of section 121.0515, Florida
17 Statutes, is amended to read:

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18 121.0515 Special risk membership.--

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

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

36 (b) The member must be employed as a firefighter and be
37 certified, or required to be certified, in compliance with s.
38 633.35 and be employed solely within the fire department of a
39 local government employer or an agency of state government with
40 firefighting responsibilities. In addition, the member's duties
41 and responsibilities must include on-the-scene fighting of
42 fires, fire prevention, or firefighter training; direct
43 supervision of firefighting units, fire prevention, or
44 firefighter training; or aerial firefighting surveillance
45 performed by fixed-wing aircraft pilots employed by the Division
46 of Forestry of the Department of Agriculture and Consumer
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47 Services; or the member must be the supervisor or command
48 officer of a member or members who have such responsibilities;
49 provided, however, administrative support personnel, including,
50 but not limited to, those whose primary duties and
51 responsibilities are in accounting, purchasing, legal, and
52 personnel, shall not be included and further provided that all
53 periods of creditable service in fire prevention or firefighter
54 training, or as the supervisor or command officer of a member or
55 members who have such responsibilities, and for which the
56 employer paid the special risk contribution rate, shall be
57 included;

58 (c) The member must be employed as a correctional officer
59 and be certified, or required to be certified, in compliance
60 with s. 943.1395. In addition, the member's primary duties and
61 responsibilities must be the custody, and physical restraint
62 when necessary, of prisoners or inmates within a prison, jail,
63 or other criminal detention facility, or while on work detail
64 outside the facility, or while being transported; or the member
65 must be the supervisor or command officer of a member or members
66 who have such responsibilities; provided, however,
67 administrative support personnel, including, but not limited to,
68 those whose primary duties and responsibilities are in
69 accounting, purchasing, legal, and personnel, shall not be
70 included; however, wardens and assistant wardens, as defined by
71 rule, shall participate in the Special Risk Class;

72 (d) The member must be employed by a licensed Advance Life
73 Support (ALS) or Basic Life Support (BLS) employer as an
74 emergency medical technician or a paramedic and be certified in
75 compliance with s. 401.27. In addition, the member's primary

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76 | duties and responsibilities must include on-the-scene emergency
77 | medical care or direct supervision of emergency medical
78 | technicians or paramedics, or the member must be the supervisor
79 | or command officer of one or more members who have such
80 | responsibility. However, administrative support personnel,
81 | including, but not limited to, those whose primary
82 | responsibilities are in accounting, purchasing, legal, and
83 | personnel, shall not be included;

84 | (e) The member must be employed as a community-based
85 | correctional probation officer and be certified, or required to
86 | be certified, in compliance with s. 943.1395. In addition, the
87 | member's primary duties and responsibilities must be the
88 | supervised custody, surveillance, control, investigation, and
89 | counseling of assigned inmates, probationers, parolees, or
90 | community controllees within the community; or the member must
91 | be the supervisor of a member or members who have such
92 | responsibilities. Administrative support personnel, including,
93 | but not limited to, those whose primary duties and
94 | responsibilities are in accounting, purchasing, legal services,
95 | and personnel management, shall not be included; however,
96 | probation and parole circuit and deputy circuit administrators
97 | shall participate in the Special Risk Class;

98 | (f) The member must be employed in one of the following
99 | classes and must spend at least 75 percent of his or her time
100 | performing duties which involve contact with patients or inmates
101 | in a correctional or forensic facility or institution:

- 102 | 1. Dietitian (class codes 5203 and 5204);
- 103 | 2. Public health nutrition consultant (class code 5224);
- 104 | 3. Psychological specialist (class codes 5230 and 5231);

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- 105 4. Psychologist (class code 5234);
- 106 5. Senior psychologist (class codes 5237 and 5238);
- 107 6. Regional mental health consultant (class code 5240);
- 108 7. Psychological Services Director--DCF (class code 5242);
- 109 8. Pharmacist (class codes 5245 and 5246);
- 110 9. Senior pharmacist (class codes 5248 and 5249);
- 111 10. Dentist (class code 5266);
- 112 11. Senior dentist (class code 5269);
- 113 12. Registered nurse (class codes 5290 and 5291);
- 114 13. Senior registered nurse (class codes 5292 and 5293);
- 115 14. Registered nurse specialist (class codes 5294 and
- 116 5295);
- 117 15. Clinical associate (class codes 5298 and 5299);
- 118 16. Advanced registered nurse practitioner (class codes
- 119 5297 and 5300);
- 120 17. Advanced registered nurse practitioner specialist
- 121 (class codes 5304 and 5305);
- 122 18. Registered nurse supervisor (class codes 5306 and
- 123 5307);
- 124 19. Senior registered nurse supervisor (class codes 5308
- 125 and 5309);
- 126 20. Registered nursing consultant (class codes 5312 and
- 127 5313);
- 128 21. Quality management program supervisor (class code
- 129 5314);
- 130 22. Executive nursing director (class codes 5320 and
- 131 5321);
- 132 23. Speech and hearing therapist (class code 5406); or
- 133 24. Pharmacy manager (class code 5251);

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134 (g) The member must be employed as a youth custody officer
135 and be certified, or required to be certified, in compliance
136 with s. 943.1395. In addition, the member's primary duties and
137 responsibilities must be the supervised custody, surveillance,
138 control, investigation, apprehension, arrest, and counseling of
139 assigned juveniles within the community; ~~or~~

140 (h) The member must be employed by a law enforcement
141 agency or medical examiner's office in a forensic discipline
142 recognized by the International Association for Identification
143 and must qualify for active membership in the International
144 Association for Identification. The member's primary duties and
145 responsibilities must include the collection, examination,
146 preservation, documentation, preparation, or analysis of
147 physical evidence or testimony, or both, or the member must be
148 the direct supervisor, quality management supervisor, or command
149 officer of one or more individuals with such responsibility.
150 Administrative support personnel, including, but not limited to,
151 those whose primary responsibilities are clerical or in
152 accounting, purchasing, legal, and personnel, shall not be
153 included; or-

154 (i) The member must be employed by the Department of
155 Corrections or the Department of Children and Family Services
156 with the following specified primary duties and responsibilities
157 in one of the following positions:

158 1. Licensed practical nurses whose primary duties and
159 responsibilities include administering medication during
160 scheduled times, and as otherwise directed; and providing
161 routine practical nursing care, including assistance with

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162 resident personal hygiene, feeding, vital signs, first aid,
163 dressing changes, irrigations, and enemas.

164 2. Unit treatment and rehabilitation specialists whose
165 primary duties and responsibilities include providing direct
166 patient care to mental health residents by participation in
167 therapy sessions, activity programs, personal hygiene, and
168 individualized treatment; maintaining a secure and therapeutic
169 environment, monitoring residents' progress, and implementing
170 specialized treatments as directed by the treatment team;
171 supervising residents in recreational or cultural activities;
172 coordinating clinic visits for residents and assisting nurses
173 when necessary; and writing and reading daily notes on
174 residents' behavior, reviewing daily program notes, shift
175 reports, and logs; and keeping current on all changes in the
176 residents' records.

177 3. Behavioral program specialists whose primary duties and
178 responsibilities include maintaining a safe, secure, and
179 therapeutic environment by implementing specialized behavior
180 control techniques; working closely with other staff to reduce
181 seclusion hours; directly supervising all unit treatment and
182 rehabilitative specialists; and writing required performance
183 appraisals and other feedback on supervised staff in a timely
184 manner.

185 4. Unit treatment and rehabilitative senior supervisors
186 whose primary duties and responsibilities include either:

187 a. Directly supervising all unit treatment and
188 rehabilitative specialists at a treatment building or in
189 multiple buildings; reviewing progress notes and assigning and
190 coordinating unit treatment and rehabilitative specialist

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191 activities; handling all emergency situations on shift; and
192 participating in or conducting therapy sessions; or

193 b. Directly supervising other unit treatment and
194 rehabilitative senior supervisors or behavioral program
195 specialists; coordinating activities for consistency from shift
196 to shift; preparing or implementing work schedules for assigned
197 buildings to ensure minimum coverage; approving leave and
198 schedule changes; disseminating information, policies, and
199 communications to treatment staff; serving as liaison between
200 counselors and treatment staff; and supervising and evaluating
201 volunteers and interns.

202 5. Rehabilitation therapists whose primary duties and
203 responsibilities include supervising and coordinating resident
204 work programs to include such duties as vocational evaluation
205 and counseling of residents for placement in classroom or job
206 site training; monitoring residents in their attainment of
207 occupational skills by means of on-the-job training and
208 classroom instruction; and directly supervising resident
209 groundskeepers.

210 6. Human service workers whose primary duties and
211 responsibilities include either:

212 a. Maintaining the resident building to meet the
213 sanitation, safety, and infection control standards; serving
214 meals; conducting room checks and face counts; and escorting
215 residents to medical and other appointments as assigned; or

216 b. Assisting residents with their daily living activities;
217 admitting residents into the unit; assisting with discharges;
218 completing resident assessments and other forms as needed; and
219 assisting with therapeutic activities as assigned.

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221 In addition, the performance of these duties by the member must
222 require the member to spend at least 75 percent of his or her
223 time in contact with patients or inmates in a correctional or
224 forensic facility or institution.

225

226 ===== T I T L E A M E N D M E N T =====

227 Remove line 15 and insert:
228 in s. 121.71, F.S.; providing an appropriation; amending
229 ss. 121.021 and 121.0515, F.S.; providing membership in
230 the Special Risk Class for persons employed by the
231 Department of Corrections or the Department of Children
232 and Family Services as certain treatment and
233 rehabilitation personnel; providing