

By Senator Fasano

11-1016-06

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;  
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);  
31 |

- 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 employed by a law enforcement  
22 agency or medical examiner's office in a forensic discipline  
23 recognized by the International Association for Identification  
24 and must qualify for active membership in the International  
25 Association for Identification. The member's primary duties  
26 and responsibilities must include the collection, examination,  
27 preservation, documentation, preparation, or analysis of  
28 physical evidence or testimony, or both, or the member must be  
29 the direct supervisor, quality management supervisor, or  
30 command officer of one or more individuals with such  
31 responsibility. Administrative support personnel, including,

1 but not limited to, those whose primary responsibilities are  
2 clerical or in accounting, purchasing, legal, and personnel,  
3 shall not be included; ~~or-~~

4 (i) The member must be employed as a nurse whose  
5 duties involve contact with inmates in a county correctional  
6 facility.

7 Section 2. This act shall take effect October 1, 2006.

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10 SENATE SUMMARY

11 Extends membership in the Special Risk Class of the  
12 Florida Retirement System to nurses who are employed in  
13 county correctional facilities in the same manner as is  
14 provided for nurses employed in state correctional  
15 facilities.