

By Senator Hill

1-1490-07

1 A bill to be entitled
2 An act relating to the Florida Retirement
3 System; amending s. 121.021, F.S.; redefining
4 the term "special risk member" for the purposes
5 of the Florida Retirement System to include
6 certain members employed by certain public
7 acute care hospitals; amending s. 121.0515,
8 F.S.; revising criteria for membership in the
9 special risk class to include certain members
10 employed by certain public acute care
11 hospitals; providing a statement of important
12 state interest; providing an effective date.

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

16 Section 1. Paragraph (f) is added to subsection (15)
17 of section 121.021, Florida Statutes, to read:

18 121.021 Definitions.--The following words and phrases
19 as used in this chapter have the respective meanings set forth
20 unless a different meaning is plainly required by the context:

21 (15)

22 (f) Effective July 1, 2007, the term "special risk
23 member" includes any member who is employed by a public acute
24 care hospital that serves as a trauma center and that provides
25 treatment to members of the public who have deadly or
26 crippling infectious diseases, members of the public who are
27 accused of or convicted of serious violent crimes, members of
28 the public who have been subjected to hazardous materials or
29 biological or chemical agents as a result of terrorism or
30 industrial accidents, or members of the public who have

1 diseases the treatment of which requires interventions with
2 extremely toxic substances.

3 Section 2. Subsection (2) of section 121.0515, Florida
4 Statutes, is amended to read:

5 121.0515 Special risk membership.--

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

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

24 (b) The member must be employed as a firefighter and
25 be certified, or required to be certified, in compliance with
26 s. 633.35 and be employed solely within the fire department of
27 a local government employer or an agency of state government
28 with firefighting responsibilities. In addition, the member's
29 duties and responsibilities must include on-the-scene fighting
30 of fires, fire prevention, or firefighter training; direct
31 supervision of firefighting units, fire prevention, or

1 firefighter training; or aerial firefighting surveillance
2 performed by fixed-wing aircraft pilots employed by the
3 Division of Forestry of the Department of Agriculture and
4 Consumer Services; or the member must be the supervisor or
5 command officer of a member or members who have such
6 responsibilities; provided, however, administrative support
7 personnel, including, but not limited to, those whose primary
8 duties and responsibilities are in accounting, purchasing,
9 legal, and personnel, shall not be included and further
10 provided that all periods of creditable service in fire
11 prevention or firefighter training, or as the supervisor or
12 command officer of a member or members who have such
13 responsibilities, and for which the employer paid the special
14 risk contribution rate, shall be included;

15 (c) The member must be employed as a correctional
16 officer and be certified, or required to be certified, in
17 compliance with s. 943.1395. In addition, the member's
18 primary duties and responsibilities must be the custody, and
19 physical restraint when necessary, of prisoners or inmates
20 within a prison, jail, or other criminal detention facility,
21 or while on work detail outside the facility, or while being
22 transported; or the member must be the supervisor or command
23 officer of a member or members who have such responsibilities;
24 provided, however, administrative support personnel,
25 including, but not limited to, those whose primary duties and
26 responsibilities are in accounting, purchasing, legal, and
27 personnel, shall not be included; however, wardens and
28 assistant wardens, as defined by rule, shall participate in
29 the Special Risk Class;

30 (d) The member must be employed by a licensed Advance
31 Life Support (ALS) or Basic Life Support (BLS) employer as an

1 emergency medical technician or a paramedic and be certified
2 in compliance with s. 401.27. In addition, the member's
3 primary duties and responsibilities must include on-the-scene
4 emergency medical care or direct supervision of emergency
5 medical technicians or paramedics, or the member must be the
6 supervisor or command officer of one or more members who have
7 such responsibility. However, administrative support
8 personnel, including, but not limited to, those whose primary
9 responsibilities are in accounting, purchasing, legal, and
10 personnel, shall not be included;

11 (e) The member must be employed as a community-based
12 correctional probation officer and be certified, or required
13 to be certified, in compliance with s. 943.1395. In addition,
14 the member's primary duties and responsibilities must be the
15 supervised custody, surveillance, control, investigation, and
16 counseling of assigned inmates, probationers, parolees, or
17 community controllees within the community; or the member must
18 be the supervisor of a member or members who have such
19 responsibilities. Administrative support personnel, including,
20 but not limited to, those whose primary duties and
21 responsibilities are in accounting, purchasing, legal
22 services, and personnel management, shall not be included;
23 however, probation and parole circuit and deputy circuit
24 administrators shall participate in the Special Risk Class;

25 (f) The member must be employed in one of the
26 following classes and must spend at least 75 percent of his or
27 her time performing duties which involve contact with patients
28 or inmates in a correctional or forensic facility or
29 institution:

30 1. Dietitian (class codes 5203 and 5204);
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- 1 2. Public health nutrition consultant (class code
- 2 5224);
- 3 3. Psychological specialist (class codes 5230 and
- 4 5231);
- 5 4. Psychologist (class code 5234);
- 6 5. Senior psychologist (class codes 5237 and 5238);
- 7 6. Regional mental health consultant (class code
- 8 5240);
- 9 7. Psychological Services Director--DCF (class code
- 10 5242);
- 11 8. Pharmacist (class codes 5245 and 5246);
- 12 9. Senior pharmacist (class codes 5248 and 5249);
- 13 10. Dentist (class code 5266);
- 14 11. Senior dentist (class code 5269);
- 15 12. Registered nurse (class codes 5290 and 5291);
- 16 13. Senior registered nurse (class codes 5292 and
- 17 5293);
- 18 14. Registered nurse specialist (class codes 5294 and
- 19 5295);
- 20 15. Clinical associate (class codes 5298 and 5299);
- 21 16. Advanced registered nurse practitioner (class
- 22 codes 5297 and 5300);
- 23 17. Advanced registered nurse practitioner specialist
- 24 (class codes 5304 and 5305);
- 25 18. Registered nurse supervisor (class codes 5306 and
- 26 5307);
- 27 19. Senior registered nurse supervisor (class codes
- 28 5308 and 5309);
- 29 20. Registered nursing consultant (class codes 5312
- 30 and 5313);
- 31

1 21. Quality management program supervisor (class code
2 5314);

3 22. Executive nursing director (class codes 5320 and
4 5321);

5 23. Speech and hearing therapist (class code 5406); or

6 24. Pharmacy manager (class code 5251);

7 (g) The member must be employed as a youth custody
8 officer and be certified, or required to be certified, in
9 compliance with s. 943.1395. In addition, the member's primary
10 duties and responsibilities must be the supervised custody,
11 surveillance, control, investigation, apprehension, arrest,
12 and counseling of assigned juveniles within the community; ~~or~~

13 (h) The member must be employed by a law enforcement
14 agency or medical examiner's office in a forensic discipline
15 recognized by the International Association for Identification
16 and must qualify for active membership in the International
17 Association for Identification. The member's primary duties
18 and responsibilities must include the collection, examination,
19 preservation, documentation, preparation, or analysis of
20 physical evidence or testimony, or both, or the member must be
21 the direct supervisor, quality management supervisor, or
22 command officer of one or more individuals with such
23 responsibility. Administrative support personnel, including,
24 but not limited to, those whose primary responsibilities are
25 clerical or in accounting, purchasing, legal, and personnel,
26 shall not be included; ~~or-~~

27 (i) The member must be employed by a public acute care
28 hospital that serves as a trauma center and that provides
29 treatment to members of the public who have deadly or
30 crippling infectious diseases, members of the public who are
31 accused of or convicted of serious violent crimes, members of

1 the public who have been subjected to hazardous materials or
2 biological or chemical agents as a result of terrorism or
3 industrial accidents, or members of the public who have
4 diseases the treatment of which requires interventions with
5 extremely toxic substances.

6 Section 3. The Legislature finds that in providing
7 treatment to members of the public who have deadly or
8 crippling infectious diseases, members of the public who are
9 accused of or convicted of serious violent crimes, members of
10 the public who have been subjected to hazardous materials or
11 biological or chemical agents as a result of terrorism or
12 industrial accidents, or members of the public who have
13 diseases the treatment of which requires interventions with
14 extremely toxic substances, a member of the Florida Retirement
15 System who is employed by a public acute care hospital that
16 serves as a trauma center is serving an important state
17 interest and should be a member of the special risk class of
18 the Florida Retirement System.

19 Section 4. This act shall take effect July 1, 2007.

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22 SENATE SUMMARY

23 Includes a member of the Florida Retirement System in the
24 special risk class of the system if the member is
25 employed by a public acute care hospital that serves as a
26 trauma center and that provides treatment to members of
27 the public who have deadly or crippling infectious
28 diseases, members of the public who are accused of or
29 convicted of serious violent crimes, members of the
30 public who have been subjected to hazardous materials or
31 biological or chemical agents as a result of terrorism or
 industrial accidents, or members of the public who have
 diseases the treatment of which requires intervention
 with extremely toxic substances.