

HB 563

2007

1 A bill to be entitled

2 An act relating to the Florida Retirement System; amending
3 ss. 121.021 and 121.0515, F.S.; providing membership in
4 the Special Risk Class for persons employed by certain
5 public acute care hospitals; providing a declaration of
6 important state interest; providing an effective date.
7

8 Be It Enacted by the Legislature of the State of Florida:
9

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

12 121.021 Definitions.--The following words and phrases as
13 used in this chapter have the respective meanings set forth
14 unless a different meaning is plainly required by the context:

15 (15)

16 (f) Effective July 1, 2007, "special risk member" includes
17 any member who is employed by a public acute care hospital that
18 serves as a trauma center and that provides treatment to members
19 of the public with deadly or crippling infectious diseases,
20 members of the public who are accused of or convicted of serious
21 violent crimes, members of the public who have been subjected to
22 hazardous materials or biological or chemical agents as a result
23 of terrorism or industrial accidents, or members of the public
24 with diseases the treatment of which requires interventions with
25 extremely toxic substances.

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

28 121.0515 Special risk membership.--

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

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

46 (b) The member must be employed as a firefighter and be
47 certified, or required to be certified, in compliance with s.
48 633.35 and be employed solely within the fire department of a
49 local government employer or an agency of state government with
50 firefighting responsibilities. In addition, the member's duties
51 and responsibilities must include on-the-scene fighting of
52 fires, fire prevention, or firefighter training; direct
53 supervision of firefighting units, fire prevention, or
54 firefighter training; or aerial firefighting surveillance
55 performed by fixed-wing aircraft pilots employed by the Division
56 of Forestry of the Department of Agriculture and Consumer

HB 563

2007

57 Services; or the member must be the supervisor or command
58 officer of a member or members who have such responsibilities;
59 provided, however, administrative support personnel, including,
60 but not limited to, those whose primary duties and
61 responsibilities are in accounting, purchasing, legal, and
62 personnel, shall not be included and further provided that all
63 periods of creditable service in fire prevention or firefighter
64 training, or as the supervisor or command officer of a member or
65 members who have such responsibilities, and for which the
66 employer paid the special risk contribution rate, shall be
67 included;

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

82 (d) The member must be employed by a licensed Advance Life
83 Support (ALS) or Basic Life Support (BLS) employer as an
84 emergency medical technician or a paramedic and be certified in

HB 563

2007

85 compliance with s. 401.27. In addition, the member's primary
86 duties and responsibilities must include on-the-scene emergency
87 medical care or direct supervision of emergency medical
88 technicians or paramedics, or the member must be the supervisor
89 or command officer of one or more members who have such
90 responsibility. However, administrative support personnel,
91 including, but not limited to, those whose primary
92 responsibilities are in accounting, purchasing, legal, and
93 personnel, shall not be included;

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

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

- 112 1. Dietitian (class codes 5203 and 5204);

- 113 2. Public health nutrition consultant (class code 5224);
- 114 3. Psychological specialist (class codes 5230 and 5231);
- 115 4. Psychologist (class code 5234);
- 116 5. Senior psychologist (class codes 5237 and 5238);
- 117 6. Regional mental health consultant (class code 5240);
- 118 7. Psychological Services Director--DCF (class code 5242);
- 119 8. Pharmacist (class codes 5245 and 5246);
- 120 9. Senior pharmacist (class codes 5248 and 5249);
- 121 10. Dentist (class code 5266);
- 122 11. Senior dentist (class code 5269);
- 123 12. Registered nurse (class codes 5290 and 5291);
- 124 13. Senior registered nurse (class codes 5292 and 5293);
- 125 14. Registered nurse specialist (class codes 5294 and
- 126 5295);
- 127 15. Clinical associate (class codes 5298 and 5299);
- 128 16. Advanced registered nurse practitioner (class codes
- 129 5297 and 5300);
- 130 17. Advanced registered nurse practitioner specialist
- 131 (class codes 5304 and 5305);
- 132 18. Registered nurse supervisor (class codes 5306 and
- 133 5307);
- 134 19. Senior registered nurse supervisor (class codes 5308
- 135 and 5309);
- 136 20. Registered nursing consultant (class codes 5312 and
- 137 5313);
- 138 21. Quality management program supervisor (class code
- 139 5314);

140 22. Executive nursing director (class codes 5320 and
141 5321);

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

143 24. Pharmacy manager (class code 5251);

144 (g) The member must be employed as a youth custody officer
145 and be certified, or required to be certified, in compliance
146 with s. 943.1395. In addition, the member's primary duties and
147 responsibilities must be the supervised custody, surveillance,
148 control, investigation, apprehension, arrest, and counseling of
149 assigned juveniles within the community; ~~or~~

150 (h) The member must be employed by a law enforcement
151 agency or medical examiner's office in a forensic discipline
152 recognized by the International Association for Identification
153 and must qualify for active membership in the International
154 Association for Identification. The member's primary duties and
155 responsibilities must include the collection, examination,
156 preservation, documentation, preparation, or analysis of
157 physical evidence or testimony, or both, or the member must be
158 the direct supervisor, quality management supervisor, or command
159 officer of one or more individuals with such responsibility.
160 Administrative support personnel, including, but not limited to,
161 those whose primary responsibilities are clerical or in
162 accounting, purchasing, legal, and personnel, shall not be
163 included; or

164 (h) The member must be employed by a public acute care
165 hospital that serves as a trauma center and that provides
166 treatment to members of the public with deadly or crippling
167 infectious diseases, members of the public who are accused of or

HB 563

2007

168 convicted of serious violent crimes, members of the public who
169 have been subjected to hazardous materials or biological or
170 chemical agents as a result of terrorism or industrial
171 accidents, or members of the public with diseases the treatment
172 of which requires interventions with extremely toxic substances.

173 Section 3. The Legislature finds that in providing
174 treatment to members of the public with deadly or crippling
175 infectious diseases, members of the public who are accused of or
176 convicted of serious violent crimes, members of the public who
177 have been subjected to hazardous materials or biological or
178 chemical agents as a result of terrorism or industrial
179 accidents, or members of the public with diseases the treatment
180 of which requires interventions with extremely toxic substances,
181 a member of the Florida Retirement System who is employed by a
182 public acute care hospital that serves as a trauma center is
183 servicing an important state interest and should be a member of
184 the Special Risk Class of the Florida Retirement System.

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