

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

11
 12 Be It Enacted by the Legislature of the State of Florida:

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

16 121.021 Definitions.--The following words and phrases as
 17 used in this chapter have the respective meanings set forth
 18 unless a different meaning is plainly required by the context:

19 (15)

20 (f) Effective July 1, 2008, the term "special risk member"
 21 includes any member who is employed by a public acute care
 22 hospital that serves as a trauma center and that provides
 23 treatment to members of the public who have deadly or crippling
 24 infectious diseases, members of the public who are accused of or
 25 convicted of serious violent crimes, members of the public who
 26 have been subjected to hazardous materials or biological or
 27 chemical agents as a result of terrorism or industrial
 28 accidents, or members of the public who have diseases the

29 treatment of which requires interventions with extremely toxic
 30 substances.

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

33 121.0515 Special risk membership.--

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

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

51 (b) The member must be employed as a firefighter and be
 52 certified, or required to be certified, in compliance with s.
 53 633.35 and be employed solely within the fire department of a
 54 local government employer or an agency of state government with
 55 firefighting responsibilities. In addition, the member's duties
 56 and responsibilities must include on-the-scene fighting of

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57 | fires, fire prevention, or firefighter training; direct
58 | supervision of firefighting units, fire prevention, or
59 | firefighter training; or aerial firefighting surveillance
60 | performed by fixed-wing aircraft pilots employed by the Division
61 | of Forestry of the Department of Agriculture and Consumer
62 | Services; or the member must be the supervisor or command
63 | officer of a member or members who have such responsibilities;
64 | provided, however, administrative support personnel, including,
65 | but not limited to, those whose primary duties and
66 | responsibilities are in accounting, purchasing, legal, and
67 | personnel, shall not be included and further provided that all
68 | periods of creditable service in fire prevention or firefighter
69 | training, or as the supervisor or command officer of a member or
70 | members who have such responsibilities, and for which the
71 | employer paid the special risk contribution rate, shall be
72 | included;

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

85 included; however, wardens and assistant wardens, as defined by
86 rule, shall participate in the Special Risk Class;

87 (d) The member must be employed by a licensed Advance Life
88 Support (ALS) or Basic Life Support (BLS) employer as an
89 emergency medical technician or a paramedic and be certified in
90 compliance with s. 401.27. In addition, the member's primary
91 duties and responsibilities must include on-the-scene emergency
92 medical care or direct supervision of emergency medical
93 technicians or paramedics, or the member must be the supervisor
94 or command officer of one or more members who have such
95 responsibility. However, administrative support personnel,
96 including, but not limited to, those whose primary
97 responsibilities are in accounting, purchasing, legal, and
98 personnel, shall not be included;

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

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

- 117 1. Dietitian (class codes 5203 and 5204);
- 118 2. Public health nutrition consultant (class code 5224);
- 119 3. Psychological specialist (class codes 5230 and 5231);
- 120 4. Psychologist (class code 5234);
- 121 5. Senior psychologist (class codes 5237 and 5238);
- 122 6. Regional mental health consultant (class code 5240);
- 123 7. Psychological Services Director--DCF (class code 5242);
- 124 8. Pharmacist (class codes 5245 and 5246);
- 125 9. Senior pharmacist (class codes 5248 and 5249);
- 126 10. Dentist (class code 5266);
- 127 11. Senior dentist (class code 5269);
- 128 12. Registered nurse (class codes 5290 and 5291);
- 129 13. Senior registered nurse (class codes 5292 and 5293);
- 130 14. Registered nurse specialist (class codes 5294 and
 131 5295);
- 132 15. Clinical associate (class codes 5298 and 5299);
- 133 16. Advanced registered nurse practitioner (class codes
 134 5297 and 5300);
- 135 17. Advanced registered nurse practitioner specialist
 136 (class codes 5304 and 5305);
- 137 18. Registered nurse supervisor (class codes 5306 and
 138 5307);
- 139 19. Senior registered nurse supervisor (class codes 5308
 140 and 5309);

141 20. Registered nursing consultant (class codes 5312 and
142 5313);

143 21. Quality management program supervisor (class code
144 5314);

145 22. Executive nursing director (class codes 5320 and
146 5321);

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

148 24. Pharmacy manager (class code 5251);

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

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

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169 (i) The member must be employed by a public acute care
170 hospital that serves as a trauma center and that provides
171 treatment to members of the public who have deadly or crippling
172 infectious diseases, members of the public who are accused of or
173 convicted of serious violent crimes, members of the public who
174 have been subjected to hazardous materials or biological or
175 chemical agents as a result of terrorism or industrial
176 accidents, or members of the public who have diseases the
177 treatment of which requires interventions with extremely toxic
178 substances.

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

192 Section 4. This act shall take effect July 1, 2008.