

By Senator Hill

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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 accidents,
28 or members of the public who have diseases the treatment of which
29 requires interventions with extremely toxic substances.

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

32 121.0515 Special risk membership.--

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

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

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

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

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

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

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

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

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

- 115 1. Dietitian (class codes 5203 and 5204);
- 116 2. Public health nutrition consultant (class code 5224);

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- 117 3. Psychological specialist (class codes 5230 and 5231);
118 4. Psychologist (class code 5234);
119 5. Senior psychologist (class codes 5237 and 5238);
120 6. Regional mental health consultant (class code 5240);
121 7. Psychological Services Director--DCF (class code 5242);
122 8. Pharmacist (class codes 5245 and 5246);
123 9. Senior pharmacist (class codes 5248 and 5249);
124 10. Dentist (class code 5266);
125 11. Senior dentist (class code 5269);
126 12. Registered nurse (class codes 5290 and 5291);
127 13. Senior registered nurse (class codes 5292 and 5293);
128 14. Registered nurse specialist (class codes 5294 and
129 5295);
130 15. Clinical associate (class codes 5298 and 5299);
131 16. Advanced registered nurse practitioner (class codes
132 5297 and 5300);
133 17. Advanced registered nurse practitioner specialist
134 (class codes 5304 and 5305);
135 18. Registered nurse supervisor (class codes 5306 and
136 5307);
137 19. Senior registered nurse supervisor (class codes 5308
138 and 5309);
139 20. Registered nursing consultant (class codes 5312 and
140 5313);
141 21. Quality management program supervisor (class code
142 5314);
143 22. Executive nursing director (class codes 5320 and 5321);
144 23. Speech and hearing therapist (class code 5406); or
145 24. Pharmacy manager (class code 5251);

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

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

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

174 Section 3. The Legislature finds that in providing

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

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