

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.

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 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, 2010, 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

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

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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);

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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) Effective October 1, 2005, through June 30, 2008, the
156 member must be employed by a law enforcement agency or medical
157 examiner's office in a forensic discipline recognized by the
158 International Association for Identification and must qualify
159 for active membership in the International Association for
160 Identification. The member's primary duties and responsibilities
161 must include the collection, examination, preservation,
162 documentation, preparation, or analysis of physical evidence or
163 testimony, or both, or the member must be the direct supervisor,
164 quality management supervisor, or command officer of one or more
165 individuals with such responsibility. Administrative support
166 personnel, including, but not limited to, those whose primary
167 responsibilities are clerical or in accounting, purchasing,
168 legal, and personnel, shall not be included;i

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169 (i) Effective July 1, 2008, the member must be employed by
170 the Department of Law Enforcement in the crime laboratory or by
171 the Division of State Fire Marshal in the forensic laboratory in
172 one of the following classes:

- 173 1. Forensic technologist (class code 8459);
- 174 2. Crime laboratory technician (class code 8461);
- 175 3. Crime laboratory analyst (class code 8463);
- 176 4. Senior crime laboratory analyst (class code 8464);
- 177 5. Crime laboratory analyst supervisor (class code 8466);
- 178 6. Forensic chief (class code 9602); or
- 179 7. Forensic services quality manager (class code 9603); ~~;~~

180 (j) Effective July 1, 2008, the member must be employed by
181 a local government law enforcement agency or medical examiner's
182 office and must spend at least 65 percent of his or her time
183 performing duties that involve the collection, examination,
184 preservation, documentation, preparation, or analysis of human
185 tissues or fluids or physical evidence having potential
186 biological, chemical, or radiological hazard or contamination,
187 or use chemicals, processes, or materials that may have
188 carcinogenic or health-damaging properties in the analysis of
189 such evidence, or the member must be the direct supervisor of
190 one or more individuals having such responsibility. If a special
191 risk member changes to another position within the same agency,
192 he or she must submit a complete application as provided in
193 paragraph (3) (a); ~~or.~~

194 (k) The member must be employed by a public acute care
195 hospital that serves as a trauma center and that provides
196 treatment to members of the public who have deadly or crippling

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197 infectious diseases, members of the public who are accused of or
198 convicted of serious violent crimes, members of the public who
199 have been subjected to hazardous materials or biological or
200 chemical agents as a result of terrorism or industrial
201 accidents, or members of the public who have diseases the
202 treatment of which requires interventions with extremely toxic
203 substances.

204 Section 3. The Legislature finds that in providing
205 treatment to members of the public who have deadly or crippling
206 infectious diseases, members of the public who are accused of or
207 convicted of serious violent crimes, members of the public who
208 have been subjected to hazardous materials or biological or
209 chemical agents as a result of terrorism or industrial
210 accidents, or members of the public who have diseases the
211 treatment of which requires interventions with extremely toxic
212 substances, a member of the Florida Retirement System who is
213 employed by a public acute care hospital that serves as a trauma
214 center is serving an important state interest and should be a
215 member of the Special Risk Class of the Florida Retirement
216 System.

217 Section 4. This act shall take effect July 1, 2010.