

1 A bill to be entitled
 2 An act relating to public safety telecommunicators;
 3 amending s. 365.172, F.S.; including fees for
 4 certification and recertification collected by the
 5 Department of Health in authorized expenditures for E911
 6 services; amending s. 401.411, F.S.; revising
 7 applicability of certain disciplinary actions and
 8 penalties; amending s. 401.465, F.S.; redefining the term
 9 "emergency dispatcher" as "public safety
 10 telecommunicator"; defining the term "public safety
 11 telecommunication training program"; providing
 12 requirements for training and certification of a public
 13 safety telecommunicator, including fees; requiring the
 14 department to establish a procedure for the approval of
 15 public safety telecommunication training programs;
 16 providing for temporary waiver of certification
 17 requirements in an area of the state for which the
 18 Governor has declared a state of emergency; providing an
 19 effective date.

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 21 Be It Enacted by the Legislature of the State of Florida:
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23 Section 1. Paragraph (b) of subsection (9) of section
 24 365.172, Florida Statutes, is amended to read:
 25 365.172 Emergency communications number "E911."--
 26 (9) AUTHORIZED EXPENDITURES OF E911 FEE.--
 27 (b) All costs directly attributable to the establishment
 28 or provision of E911 service and contracting for E911 services

29 are eligible for expenditure of moneys derived from imposition
30 of the fee authorized by this section. These costs include the
31 acquisition, implementation, and maintenance of Public Safety
32 Answering Point (PSAP) equipment and E911 service features, as
33 defined in the Public Service Commission's lawfully approved 911
34 and E911 and related tariffs or the acquisition, installation,
35 and maintenance of other E911 equipment, including call
36 answering equipment, call transfer equipment, ANI controllers,
37 ALI controllers, ANI displays, ALI displays, station
38 instruments, E911 telecommunications systems, visual call
39 information and storage devices, recording equipment, telephone
40 devices and other equipment for the hearing impaired used in the
41 E911 system, PSAP backup power systems, consoles, automatic call
42 distributors, and interfaces, including hardware and software,
43 for computer-aided dispatch (CAD) systems, integrated CAD
44 systems for that portion of the systems used for E911 call
45 taking, network clocks, salary and associated expenses for E911
46 call takers for that portion of their time spent taking and
47 transferring E911 calls, salary and associated expenses for a
48 county to employ a full-time equivalent E911 coordinator
49 position and a full-time equivalent mapping or geographical data
50 position and a staff assistant position per county for the
51 portion of their time spent administrating the E911 system,
52 training costs for PSAP call takers, supervisors, and managers
53 in the proper methods and techniques used in taking and
54 transferring E911 calls, costs to train and educate PSAP
55 employees regarding E911 service or E911 equipment, including
56 Department of Health fees for the certification and

57 recertification of 911 public safety telecommunicators as
 58 required under s. 401.465, and expenses required to develop and
 59 maintain all information, including ALI and ANI databases and
 60 other information source repositories, necessary to properly
 61 inform call takers as to location address, type of emergency,
 62 and other information directly relevant to the E911 call-taking
 63 and transferring function. Moneys derived from the fee may also
 64 be used for next-generation E911 network services, next-
 65 generation E911 database services, next-generation E911
 66 equipment, and wireless E911 routing systems.

67 Section 2. Paragraphs (g) and (k) of subsection (1) of
 68 section 401.411, Florida Statutes, are amended to read:

69 401.411 Disciplinary action; penalties.--

70 (1) The department may deny, suspend, or revoke a license,
 71 certificate, or permit or may reprimand or fine any licensee,
 72 certificateholder, or other person operating under this part for
 73 any of the following grounds:

74 (g) Unprofessional conduct, including, but not limited to,
 75 any departure from or failure to conform to the minimal
 76 prevailing standards of acceptable practice under this part ~~as~~
 77 ~~an emergency medical technician or paramedic,~~ including
 78 undertaking activities that the emergency medical technician, ~~or~~
 79 paramedic, health care professional, or other professional is
 80 not qualified by training or experience to perform.

81 (k) Practicing as an emergency medical technician,
 82 paramedic, ~~or other~~ health care professional, or other
 83 professional operating under this part without reasonable skill
 84 and without regard for the safety of the public ~~to patients~~ by

85 | reason of illness, drunkenness, or the use of drugs, narcotics,
 86 | or chemicals or any other substance or as a result of any mental
 87 | or physical condition.

88 | Section 3. Section 401.465, Florida Statutes, is amended
 89 | to read:

90 | 401.465 911 public safety telecommunicator ~~emergency~~
 91 | ~~dispatcher~~ certification.--

92 | (1) DEFINITIONS.--As used in this section, the term:

93 | (a) "911 public safety telecommunicator ~~emergency~~
 94 | ~~dispatcher~~" means ~~a person employed by a state agency or local~~
 95 | ~~government as a public safety dispatcher or 911 operator whose~~
 96 | duties and responsibilities include the answering, receiving,
 97 | transferring, and dispatching functions related to 911 calls;
 98 | dispatching law enforcement officers, fire rescue services,
 99 | emergency medical services, and other public safety services to
 100 | the scene of an emergency; providing real-time information from
 101 | federal, state, and local crime databases; or supervising or
 102 | servicing as the command officer to a person or persons having
 103 | such duties and responsibilities. However, the term does not
 104 | include administrative support personnel, including, but not
 105 | limited to, those whose primary duties and responsibilities are
 106 | in accounting, purchasing, legal, and personnel.

107 | (b) "Department" means the Department of Health.

108 | (c) "Public safety telecommunication training program"
 109 | means a 911 emergency public safety telecommunications training
 110 | program that the department determines to be equivalent to the
 111 | most recent public safety telecommunication training program

112 curriculum framework developed by the Department of Education
 113 and consists of not less than 232 hours.

114 (2) PERSONNEL; STANDARDS AND CERTIFICATION.--

115 (a) Effective October 1, 2011, any person employed as a
 116 911 public safety telecommunicator at a public safety answering
 117 point, as defined s. 365.172(3)(a), must be certified by the
 118 department.

119 (b) A public safety agency, as defined s. 365.171(3)(d),
 120 may employ a 911 public safety telecommunicator trainee for a
 121 period not to exceed 12 months, provided the trainee is under
 122 the direct supervision of a certified 911 public safety
 123 telecommunicator, as determined by rule of the department, and
 124 is enrolled in a public safety telecommunication training
 125 program.

126 (c)(a) An applicant for certification or recertification
 127 ~~Any person who desires to be certified or recertified as a 911~~
 128 public safety telecommunicator must ~~emergency dispatcher may~~
 129 apply to the department under oath on forms provided by the
 130 department. The department shall establish by rule educational
 131 and training criteria for the certification and recertification
 132 of 911 public safety telecommunicators ~~emergency dispatchers.~~

133 (d)(b) The department shall determine whether the
 134 applicant meets the requirements specified in this section and
 135 in rules of the department and shall issue a certificate to any
 136 person who meets such requirements. Such requirements must
 137 include, ~~but need not be limited to,~~ the following:

138 1. Completion of an appropriate 911 public safety
 139 telecommunication ~~emergency dispatcher~~ training program ~~that is~~

140 ~~equivalent to the most recently approved emergency dispatcher~~
141 ~~course of the Department of Education and consists of not less~~
142 ~~than 208 hours;~~

143 ~~2. Completion and documentation of at least 2 years of~~
144 ~~supervised full-time employment as a 911 emergency dispatcher~~
145 ~~since January 1, 2002;~~

146 ~~2.3.~~ Certification under oath that the applicant is not
147 addicted to alcohol or any controlled substance;

148 ~~3.4.~~ Certification under oath that the applicant is free
149 from any physical or mental defect or disease that might impair
150 the applicant's ability to perform his or her duties;

151 ~~4.5.~~ Submission of the application fee prescribed in
152 subsection (3); ~~and~~

153 ~~5.6.~~ Submission of a completed application to the
154 department which indicates compliance with subparagraphs 1., 2.,
155 and 3.; ~~and 4.~~

156 6. Effective October 1, 2011, passage of an examination
157 administered by the department that measures the applicant's
158 competency and proficiency in the subject material of the public
159 safety telecommunication training program.

160 ~~(e)-(e)~~ The department shall establish by rule a procedure
161 that requires 20 hours of training for the biennial renewal
162 certification of 911 public safety telecommunicators ~~emergency~~
163 ~~dispatchers.~~

164 ~~(f)-(d)~~ A ~~Each~~ 911 public safety telecommunicator ~~emergency~~
165 ~~dispatcher~~ certificate expires automatically if not renewed at
166 the end of the 2-year period and may be renewed if the holder
167 meets the qualifications for renewal as established by the

168 department. A certificate that is not renewed at the end of the
169 2-year period automatically reverts to an inactive status for a
170 period that may not exceed 180 days. Such certificate may be
171 reactivated and renewed within the 180-day period if the
172 certificateholder meets all other qualifications for renewal and
173 pays a \$50 late fee. Reactivation shall be in a manner and on
174 forms prescribed by department rule.

175 (g)~~(e)~~ The department may suspend or revoke a certificate
176 at any time if it determines that the certificateholder does not
177 meet the applicable qualifications.

178 (h)~~(f)~~ A certificateholder may request that his or her 911
179 public safety telecommunicator ~~emergency dispatcher~~ certificate
180 be placed on inactive status by applying to the department
181 before his or her current certification expires and paying a fee
182 set by the department, which may not exceed \$75 ~~\$100~~.

183 1. A certificateholder whose certificate has been on
184 inactive status for 1 year or less may renew his or her
185 certificate pursuant to the rules adopted by the department and
186 upon payment of a renewal fee set by the department, which may
187 not exceed \$75 ~~\$100~~.

188 2. A certificateholder whose certificate has been on
189 inactive status for more than 1 year may renew his or her
190 certificate pursuant to rules adopted by the department.

191 3. A certificate that has been inactive for more than 6
192 years automatically expires and may not be renewed.

193 (i)~~(g)~~ The department shall establish by rule a procedure
194 for the initial certification of 911 public safety
195 telecommunicators ~~emergency dispatchers~~ as defined in this

196 section who have documentation of at least 5 years of supervised
 197 full-time employment as a 911 public safety telecommunicator or
 198 an emergency dispatcher since January 1, 2002. The provisions of
 199 this paragraph expire October 1, 2011.

200 (j) The department shall establish by rule a procedure for
 201 the approval of public safety telecommunication training
 202 programs required by this section.

203 (3) FEES.--

204 (a) The initial application fee for ~~application for~~ the
 205 911 public safety telecommunicator ~~emergency dispatcher~~ original
 206 certificate is \$75.

207 (b) The examination fee for the 911 public safety
 208 telecommunicator set by the department, which may not exceed
 209 \$75.

210 (c) ~~(b)~~ The application fee for the 911 public safety
 211 telecommunicator ~~emergency dispatcher~~ biennial renewal
 212 certificate set by the department, which may not exceed \$75 ~~is~~
 213 ~~\$100.~~

214 (d) The application fee for department approval of a
 215 public safety telecommunication training program set by the
 216 department, which may not exceed \$100.

217 (e) ~~(e)~~ Fees collected under this section shall be
 218 deposited into the Emergency Medical Services Trust Fund and
 219 used solely for salaries and expenses of the department incurred
 220 in administering this section.

221 (f) ~~(d)~~ If a certificate issued under this section is lost
 222 or destroyed, the person to whom the certificate was issued may,

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223 upon payment of a fee set by the department, which may not
224 exceed \$25, obtain a duplicate or substitute certificate.

225 ~~(g)(e)~~ Upon surrender of the original 911 public safety
226 telecommunicator or emergency dispatcher certificate and receipt
227 of a replacement fee set by the department, which may not exceed
228 \$25, the department shall issue a replacement certificate to
229 make a change in name.

230 (4) STATE-OF-EMERGENCY WAIVER.--The provisions of this
231 section may be temporarily waived by the department in a
232 geographic area of the state where a state of emergency has been
233 declared by the Governor pursuant to s. 252.36.

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