

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

21
 22 Be It Enacted by the Legislature of the State of Florida:

23
 24 Section 1. Paragraphs (a) and (b) of subsection (9) of
 25 section 365.172, Florida Statutes, are amended to read:

26 365.172 Emergency communications number "E911."—

27 (9) AUTHORIZED EXPENDITURES OF E911 FEE.—

28 (a) For purposes of this section, E911 service includes

29 | the functions of database management, call taking, dispatching,
30 | location verification, and call transfer.

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

57 | in the proper methods and techniques used in taking and
 58 | transferring E911 calls, costs to train and educate PSAP
 59 | employees regarding E911 service or E911 equipment, including
 60 | Department of Health fees for the certification and
 61 | recertification of 911 public safety telecommunicators as
 62 | required under s. 401.465, and expenses required to develop and
 63 | maintain all information, including ALI and ANI databases and
 64 | other information source repositories, necessary to properly
 65 | inform call takers as to location address, type of emergency,
 66 | and other information directly relevant to the E911 call-taking
 67 | and transferring function. Moneys derived from the fee may also
 68 | be used for next-generation E911 network services, next-
 69 | generation E911 database services, next-generation E911
 70 | equipment, and wireless E911 routing systems.

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

73 | 401.411 Disciplinary action; penalties.—

74 | (1) The department may deny, suspend, or revoke a license,
 75 | certificate, or permit or may reprimand or fine any licensee,
 76 | certificateholder, or other person operating under this part for
 77 | any of the following grounds:

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

85 (k) Practicing as an emergency medical technician,
86 paramedic, ~~or other~~ health care professional, or other
87 professional operating under this part without reasonable skill
88 and without regard for the safety of the public ~~to patients~~ by
89 reason of illness, drunkenness, or the use of drugs, narcotics,
90 or chemicals or any other substance or as a result of any mental
91 or physical condition.

92 Section 3. Section 401.465, Florida Statutes, is amended
93 to read:

94 401.465 911 public safety telecommunicator ~~emergency~~
95 ~~dispatcher~~ certification.—

96 (1) DEFINITIONS.—As used in this section, the term:

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

111 (b) "Department" means the Department of Health.

112 (c) "Public safety telecommunication training program"
 113 means a 911 emergency public safety telecommunications training
 114 program that the department determines to be equivalent to the
 115 public safety telecommunication training program curriculum
 116 framework developed by the Department of Education and consists
 117 of not less than 232 hours.

118 (2) PERSONNEL; STANDARDS AND CERTIFICATION.—

119 (a) Effective October 1, 2012, any person employed as a
 120 911 public safety telecommunicator at a public safety answering
 121 point, as defined s. 365.172(3)(a), must be certified by the
 122 department.

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

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

137 (d)(b) The department shall determine whether the
 138 applicant meets the requirements specified in this section and
 139 in rules of the department and shall issue a certificate to any

140 person who meets such requirements. Such requirements must
141 include, ~~but need not be limited to,~~ the following:

142 1. Completion of an appropriate 911 public safety
143 telecommunication emergency dispatcher training program that is
144 equivalent to the most recently approved emergency dispatcher
145 course of the Department of Education and consists of not less
146 than 208 hours;

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

150 ~~2.3.~~ Certification under oath that the applicant is not
151 addicted to alcohol or any controlled substance;

152 ~~3.4.~~ Certification under oath that the applicant is free
153 from any physical or mental defect or disease that might impair
154 the applicant's ability to perform his or her duties;

155 ~~4.5.~~ Submission of the application fee prescribed in
156 subsection (3); ~~and~~

157 ~~5.6.~~ Submission of a completed application to the
158 department which indicates compliance with subparagraphs 1., 2.,
159 and 3.; ~~and 4.~~

160 6. Effective October 1, 2012, passage of an examination
161 administered by the department that measures the applicant's
162 competency and proficiency in the subject material of the public
163 safety telecommunication training program.

164 ~~(e)(e)~~ The department shall establish by rule a procedure
165 that requires 20 hours of training for the biennial renewal
166 certification of 911 public safety telecommunicators ~~emergency~~
167 ~~dispatchers.~~

168 (f)~~(d)~~ A ~~Each~~ 911 public safety telecommunicator ~~emergency~~
169 ~~dispatcher~~ certificate expires automatically if not renewed at
170 the end of the 2-year period and may be renewed if the holder
171 meets the qualifications for renewal as established by the
172 department. A certificate that is not renewed at the end of the
173 2-year period automatically reverts to an inactive status for a
174 period that may not exceed 180 days. Such certificate may be
175 reactivated and renewed within the 180-day period if the
176 certificateholder meets all other qualifications for renewal and
177 pays a \$50 late fee. Reactivation shall be in a manner and on
178 forms prescribed by department rule.

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

182 (h)~~(f)~~ A certificateholder may request that his or her 911
183 public safety telecommunicator ~~emergency dispatcher~~ certificate
184 be placed on inactive status by applying to the department
185 before his or her current certification expires and paying a fee
186 set by the department, which may not exceed \$50 ~~\$100~~.

187 1. A certificateholder whose certificate has been on
188 inactive status for 1 year or less may renew his or her
189 certificate pursuant to the rules adopted by the department and
190 upon payment of a renewal fee set by the department, which may
191 not exceed \$50 ~~\$100~~.

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

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

197 ~~(i)-(g)~~ The department shall establish by rule a procedure
198 for the initial certification of 911 public safety
199 telecommunicators ~~emergency dispatchers~~ as defined in this
200 section who have documentation of at least 5 years of supervised
201 full-time employment as a 911 public safety telecommunicator or
202 an emergency dispatcher since January 1, 2002. This paragraph
203 expires October 1, 2012.

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

207 (3) FEES.—

208 (a) The initial application fee for ~~application for~~ the
209 911 public safety telecommunicator ~~emergency dispatcher~~ original
210 certificate is \$50 ~~\$75~~.

211 (b) The examination fee for the 911 public safety
212 telecommunicator set by the department, which may not exceed
213 \$75.

214 ~~(c)-(b)~~ The application fee for the 911 public safety
215 telecommunicator ~~emergency dispatcher~~ biennial renewal
216 certificate set by the department, which may not exceed \$50 ~~is~~
217 ~~\$100.~~

218 (d) The application fee for department approval of a
219 public safety telecommunication training program set by the
220 department, which may not exceed \$50.

221 ~~(e)-(c)~~ Fees collected under this section shall be
222 deposited into the Emergency Medical Services Trust Fund and

223 used solely for salaries and expenses of the department incurred
 224 in administering this section.

225 (f)~~(d)~~ If a certificate issued under this section is lost
 226 or destroyed, the person to whom the certificate was issued may,
 227 upon payment of a fee set by the department, which may not
 228 exceed \$25, obtain a duplicate or substitute certificate.

229 (g)~~(e)~~ Upon surrender of the original 911 public safety
 230 telecommunicator or emergency dispatcher certificate and receipt
 231 of a replacement fee set by the department, which may not exceed
 232 \$25, the department shall issue a replacement certificate to
 233 make a change in name.

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

238 Section 4. The Legislature finds that this act fulfills an
 239 important state interest.

240 Section 5. This act shall take effect July 1, 2010.