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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/18/2010	.	
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	.	
	.	

The Committee on Health Regulation (Sobel) recommended the following:

1 **Senate Substitute for Amendment (791862) (with title**
2 **amendment)**

3
4 Delete everything after the enacting clause
5 and insert:

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

8 365.172 Emergency communications number "E911."—

9 (9) AUTHORIZED EXPENDITURES OF E911 FEE.—

10 (a) For purposes of this section, E911 service includes the
11 functions of database management, call taking, dispatching,
12 location verification, and call transfer.



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13 (b) All costs directly attributable to the establishment or
14 provision of E911 service and contracting for E911 services are
15 eligible for expenditure of moneys derived from imposition of
16 the fee authorized by this section. These costs include the
17 acquisition, implementation, and maintenance of Public Safety
18 Answering Point (PSAP) equipment and E911 service features, as
19 defined in the Public Service Commission's lawfully approved 911
20 and E911 and related tariffs or the acquisition, installation,
21 and maintenance of other E911 equipment, including call
22 answering equipment, call transfer equipment, ANI controllers,
23 ALI controllers, ANI displays, ALI displays, station
24 instruments, E911 telecommunications systems, visual call
25 information and storage devices, recording equipment, telephone
26 devices and other equipment for the hearing impaired used in the
27 E911 system, PSAP backup power systems, consoles, automatic call
28 distributors, and interfaces, including hardware and software,
29 for computer-aided dispatch (CAD) systems, integrated CAD
30 systems for that portion of the systems used for E911 call
31 taking, network clocks, salary and associated expenses for E911
32 call takers for that portion of their time spent taking and
33 transferring E911 calls, salary and associated expenses for a
34 county to employ a full-time equivalent E911 coordinator
35 position and a full-time equivalent mapping or geographical data
36 position and a staff assistant position per county for the
37 portion of their time spent administrating the E911 system,
38 training costs for PSAP call takers, supervisors, and managers
39 in the proper methods and techniques used in taking and
40 transferring E911 calls, costs to train and educate PSAP
41 employees regarding E911 service or E911 equipment, including



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42 Department of Health fees for the certification and
43 recertification of 911 public safety telecommunicators as
44 required under s. 401.465, and expenses required to develop and
45 maintain all information, including ALI and ANI databases and
46 other information source repositories, necessary to properly
47 inform call takers as to location address, type of emergency,
48 and other information directly relevant to the E911 call-taking
49 and transferring function. Moneys derived from the fee may also
50 be used for next-generation E911 network services, next-
51 generation E911 database services, next-generation E911
52 equipment, and wireless E911 routing systems.

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

55 401.411 Disciplinary action; penalties.—

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

60 (g) Unprofessional conduct, including, but not limited to,
61 any departure from or failure to conform to the minimal
62 prevailing standards of acceptable practice under this part ~~as~~
63 ~~an emergency medical technician or paramedic,~~ including
64 undertaking activities that the emergency medical technician, ~~or~~
65 paramedic, health care professional, or other professional is
66 not qualified by training or experience to perform.

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



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71 reason of illness, drunkenness, or the use of drugs, narcotics,
72 or chemicals or any other substance or as a result of any mental
73 or physical condition.

74 Section 3. Section 401.465, Florida Statutes, is amended to
75 read:

76 401.465 911 public safety telecommunicator ~~emergency~~
77 ~~dispatcher~~ certification.-

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

79 (a) "911 public safety telecommunicator ~~emergency~~
80 ~~dispatcher~~" means ~~a person employed by a state agency or local~~
81 ~~government as~~ a public safety dispatcher or 911 operator whose
82 duties and responsibilities include the answering, receiving,
83 transferring, and dispatching functions related to 911 calls;
84 dispatching law enforcement officers, fire rescue services,
85 emergency medical services, and other public safety services to
86 the scene of an emergency; providing real-time information from
87 federal, state, and local crime databases; or supervising or
88 servicing as the command officer to a person or persons having
89 such duties and responsibilities. However, the term does not
90 include administrative support personnel, including, but not
91 limited to, those whose primary duties and responsibilities are
92 in accounting, purchasing, legal, and personnel.

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

94 (c) "Public safety telecommunication training program"
95 means a 911 emergency public safety telecommunications training
96 program that the department determines to be equivalent to the
97 public safety telecommunication training program curriculum
98 framework developed by the Department of Education and consists
99 of not less than 232 hours.



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100 (2) PERSONNEL; STANDARDS AND CERTIFICATION.—

101 (a) Effective October 1, 2011, any person employed as a 911
102 public safety telecommunicator at a public safety answering
103 point, as defined s. 365.172(3)(a), must be certified by the
104 department.

105 (b) A public safety agency, as defined s. 365.171(3)(d),
106 may employ a 911 public safety telecommunicator trainee for a
107 period not to exceed 12 months, provided the trainee works under
108 the direct supervision of a certified 911 public safety
109 telecommunicator, as determined by rule of the department, and
110 is enrolled in a public safety telecommunication training
111 program.

112 (c) ~~(a)~~ An applicant for certification or recertification
113 ~~Any person who desires to be certified or recertified as a 911~~
114 ~~public safety telecommunicator must~~ emergency dispatcher may
115 apply to the department under oath on forms provided by the
116 department. The department shall establish by rule educational
117 and training criteria for the certification and recertification
118 of 911 public safety telecommunicators ~~emergency dispatchers.~~

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

124 1. Completion of an appropriate 911 public safety
125 telecommunication ~~emergency dispatcher~~ training program ~~that is~~
126 ~~equivalent to the most recently approved emergency dispatcher~~
127 ~~course of the Department of Education and consists of not less~~
128 ~~than 208 hours;~~



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

132 ~~2.3.~~ Certification under oath that the applicant is not
133 addicted to alcohol or any controlled substance;

134 ~~3.4.~~ Certification under oath that the applicant is free
135 from any physical or mental defect or disease that might impair
136 the applicant's ability to perform his or her duties;

137 ~~4.5.~~ Submission of the application fee prescribed in
138 subsection (3); ~~and~~

139 ~~5.6.~~ Submission of a completed application to the
140 department which indicates compliance with subparagraphs 1., 2.,
141 and 3.; ~~and 4.~~

142 6. Effective October 1, 2011, passage of an examination
143 administered by the department that measures the applicant's
144 competency and proficiency in the subject material of the public
145 safety telecommunication training program.

146 ~~(e)-(e)~~ The department shall establish by rule a procedure
147 that requires 20 hours of training for the biennial renewal
148 certification of 911 public safety telecommunicators ~~emergency~~
149 ~~dispatchers.~~

150 ~~(f)-(d)~~ A Each 911 public safety telecommunicator ~~emergency~~
151 ~~dispatcher~~ certificate expires automatically if not renewed at
152 the end of the 2-year period and may be renewed if the holder
153 meets the qualifications for renewal as established by the
154 department. A certificate that is not renewed at the end of the
155 2-year period automatically reverts to an inactive status for a
156 period that may not exceed 180 days. Such certificate may be
157 reactivated and renewed within the 180-day period if the



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158 certificateholder meets all other qualifications for renewal and
159 pays a \$50 late fee. Reactivation shall be in a manner and on
160 forms prescribed by department rule.

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

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

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

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

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

179 (i)~~(g)~~ The department shall establish by rule a procedure
180 for the initial certification of 911 public safety
181 telecommunicators ~~emergency dispatchers~~ as defined in this
182 section who have documentation of at least 5 years of supervised
183 full-time employment as a 911 public safety telecommunicator or
184 an emergency dispatcher since January 1, 2002. The provisions of
185 this paragraph expire October 1, 2011.

186 (j) The department shall establish by rule a procedure for



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187 the approval of public safety telecommunication training
188 programs required by this section.

189 (3) FEES.—

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

193 (b) The examination fee for the 911 public safety
194 telecommunicator set by the department, which may not exceed
195 \$75.

196 (c) ~~(b)~~ The application fee for the 911 public safety
197 telecommunicator emergency dispatcher biennial renewal
198 certificate set by the department, which may not exceed \$50 ~~is~~
199 ~~\$100~~.

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

203 (e) ~~(c)~~ Fees collected under this section shall be deposited
204 into the Emergency Medical Services Trust Fund and used solely
205 for salaries and expenses of the department incurred in
206 administering this section.

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

211 (g) ~~(e)~~ Upon surrender of the original 911 public safety
212 telecommunicator or emergency dispatcher certificate and receipt
213 of a replacement fee set by the department, which may not exceed
214 \$25, the department shall issue a replacement certificate to
215 make a change in name.



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

220 Section 4. The Legislature finds that this act fulfills an
221 important state interest.

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

223
224 ===== T I T L E A M E N D M E N T =====

225 And the title is amended as follows:

226 Delete everything before the enacting clause
227 and insert:

228 A bill to be entitled
229 An act relating to public safety telecommunicators;
230 amending s. 365.172, F.S.; including dispatching as a
231 function of E911 service; including fees for
232 certification and recertification collected by the
233 Department of Health in authorized expenditures for
234 E911 services; amending s. 401.411, F.S.; revising
235 applicability of certain disciplinary actions and
236 penalties; amending s. 401.465, F.S.; redefining the
237 term "emergency dispatcher" as "public safety
238 telecommunicator"; defining the term "public safety
239 telecommunication training program"; providing
240 requirements for training and certification of a
241 public safety telecommunicator, including fees;
242 requiring the department to establish a procedure for
243 the approval of public safety telecommunication
244 training programs; providing for temporary waiver of



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245 certification requirements in an area of the state for
246 which the Governor has declared a state of emergency;
247 providing a declaration of important state interest;
248 providing an effective date.