

By the Committees on Community Affairs; and Health Regulation;
and Senator Detert

578-03157-10

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

22
23 Be It Enacted by the Legislature of the State of Florida:
24

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

27 365.172 Emergency communications number "E911."—

28 (9) AUTHORIZED EXPENDITURES OF E911 FEE.—

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

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30 functions of database management, call taking, dispatching,
31 location verification, and call transfer.

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

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

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

74 401.411 Disciplinary action; penalties.—

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

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

86 (k) Practicing as an emergency medical technician,
87 paramedic, ~~or other~~ health care professional, or other

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88 professional operating under this part without reasonable skill
89 and without regard for the safety of the public ~~to patients~~ by
90 reason of illness, drunkenness, or the use of drugs, narcotics,
91 or chemicals or any other substance or as a result of any mental
92 or physical condition.

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

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

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

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

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

113 (c) "Public safety telecommunication training program"
114 means a 911 emergency public safety telecommunications training
115 program that the department determines to be equivalent to the
116 public safety telecommunication training program curriculum

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117 framework developed by the Department of Education and consists
118 of not less than 232 hours.

119 (2) PERSONNEL; STANDARDS AND CERTIFICATION.—

120 (a) Effective October 1, 2011, any person employed as a 911
121 public safety telecommunicator at a public safety answering
122 point, as defined s. 365.172(3)(a), must be certified by the
123 department.

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

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

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

143 1. Completion of an appropriate 911 public safety
144 telecommunication ~~emergency dispatcher~~ training program that is
145 ~~equivalent to the most recently approved emergency dispatcher~~

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146 ~~course of the Department of Education and consists of not less~~
147 ~~than 208 hours;~~

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

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

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

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

158 ~~5.6.~~ Submission of a completed application to the
159 department which indicates compliance with subparagraphs 1., 2.,
160 ~~and 3.;~~ ~~7~~ and 4.

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

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

169 ~~(f)-(d)~~ A Each 911 public safety telecommunicator ~~emergency~~
170 ~~dispatcher~~ certificate expires automatically if not renewed at
171 the end of the 2-year period and may be renewed if the holder
172 meets the qualifications for renewal as established by the
173 department. A certificate that is not renewed at the end of the
174 2-year period automatically reverts to an inactive status for a

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175 period that may not exceed 180 days. Such certificate may be
176 reactivated and renewed within the 180-day period if the
177 certificateholder meets all other qualifications for renewal and
178 pays a \$50 late fee. Reactivation shall be in a manner and on
179 forms prescribed by department rule.

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

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

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

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

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

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

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204 expires October 1, 2012.

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

208 (3) FEES.—

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

212 (b) The examination fee for the 911 public safety
213 telecommunicator shall be set by the department and may not
214 exceed \$75.

215 (c) ~~(b)~~ The application fee for the 911 public safety
216 telecommunicator ~~emergency dispatcher~~ biennial renewal
217 certificate shall be set by the department and may not exceed
218 \$50 ~~is \$100~~.

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

222 (e) ~~(e)~~ Fees collected under this section shall be deposited
223 into the Emergency Medical Services Trust Fund and used solely
224 for salaries and expenses of the department incurred in
225 administering this section.

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

230 (g) ~~(e)~~ Upon surrender of the original 911 public safety
231 telecommunicator or emergency dispatcher certificate and receipt
232 of a replacement fee set by the department, which may not exceed

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233 \$25, the department shall issue a replacement certificate to
234 make a change in name.

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

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

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