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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 certain 911 public safety telecommunicators
16 to pass an examination administered by the department;
17 requiring the department to establish a procedure for
18 the approval of public safety telecommunication
19 training programs; providing for temporary waiver of
20 certification requirements in an area of the state for
21 which the Governor has declared a state of emergency;
22 providing a declaration of important state interest;
23 providing an effective date.

24
25 Be It Enacted by the Legislature of the State of Florida:

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

29 365.172 Emergency communications number "E911."—

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30 (9) AUTHORIZED EXPENDITURES OF E911 FEE.—

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

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

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

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

76 401.411 Disciplinary action; penalties.—

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

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

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

95 Section 3. Section 401.465, Florida Statutes, is amended to
96 read:

97 401.465 911 public safety telecommunicator emergency
98 ~~dispatcher~~ certification.—

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

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

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

115 (c) "Public safety telecommunication training program"
116 means a 911 emergency public safety telecommunications training

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117 program that the department determines to be equivalent to the
118 public safety telecommunication training program curriculum
119 framework developed by the Department of Education and consists
120 of not less than 232 hours.

121 (2) PERSONNEL; STANDARDS AND CERTIFICATION.—

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

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

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

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

145 1. Completion of an appropriate 911 public safety

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146 ~~telecommunication emergency dispatcher training program that is~~
147 ~~equivalent to the most recently approved emergency dispatcher~~
148 ~~course of the Department of Education and consists of not less~~
149 ~~than 208 hours;~~

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

153 ~~2.3.~~ Certification under oath that the applicant is not
154 addicted to alcohol or any controlled substance;

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

158 ~~4.5.~~ Submission of the application fee prescribed in
159 subsection (3); ~~and~~

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

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

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

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

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175 department. A certificate that is not renewed at the end of the
176 2-year period automatically reverts to an inactive status for a
177 period that may not exceed 180 days. Such certificate may be
178 reactivated and renewed within the 180-day period if the
179 certificateholder meets all other qualifications for renewal and
180 pays a \$50 late fee. Reactivation shall be in a manner and on
181 forms prescribed by department rule.

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

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

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

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

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

200 (i)~~(g)~~ The department shall establish by rule a procedure
201 for the initial certification of 911 public safety
202 telecommunicators ~~emergency dispatchers~~ as defined in this
203 section who have documentation of at least 5 years of supervised

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204 full-time employment as a 911 public safety telecommunicator or
205 an emergency dispatcher since January 1, 2002. This paragraph
206 expires October 1, 2012.

207 (j) If a person was employed as a 911 public safety
208 telecommunicator before April 1, 2012, he or she must pass the
209 examination administered by the department which measures the
210 competency and proficiency in the subject material of the public
211 safety telecommunication program, as defined paragraph (1)(c).
212 Upon passage of the examination, the completion of the public
213 safety telecommunication training program shall be waived.

214 (k) The department shall establish by rule a procedure for
215 the approval of public safety telecommunication training
216 programs required by this section.

217 (3) FEES.—

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

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

224 (c) ~~(b)~~ The application fee for the 911 public safety
225 telecommunicator ~~emergency dispatcher~~ biennial renewal
226 certificate shall be set by the department and may not exceed
227 \$50 ~~is \$100~~.

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

231 (e) ~~(e)~~ Fees collected under this section shall be deposited
232 into the Emergency Medical Services Trust Fund and used solely

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233 for salaries and expenses of the department incurred in
234 administering this section.

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

239 (g)~~(e)~~ Upon surrender of the original 911 public safety
240 telecommunicator or emergency dispatcher certificate and receipt
241 of a replacement fee set by the department, which may not exceed
242 \$25, the department shall issue a replacement certificate to
243 make a change in name.

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

248 Section 4. The Legislature finds that this act fulfills an
249 important state interest.

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