

26 | 112.18155, Florida Statutes, is amended to read:

27 | 112.18155 Correctional officers; special provisions for
28 | posttraumatic stress disorders.—

29 | (2) For purposes of this section and chapter 440, and
30 | notwithstanding ss. 440.093 and 440.151(2), posttraumatic stress
31 | disorder, as described in the Diagnostic and Statistical Manual
32 | of Mental Disorders, Fifth Edition, published by the American
33 | Psychiatric Association, suffered by a correctional officer is a
34 | compensable occupational disease within the meaning of s.
35 | 440.151 if both of the following apply:

36 | (a) The posttraumatic stress disorder resulted from the
37 | correctional officer acting within the course of his or her
38 | employment ~~as provided in s. 440.091.~~

39 | Section 2. Section 112.18156, Florida Statutes, is created
40 | to read:

41 | 112.18156 911 public safety telecommunicators and crime
42 | scene investigators; special provisions for posttraumatic stress
43 | disorders.—

44 | (1) As used in this section, the term:

45 | (a) "911 public safety telecommunicator" has the same
46 | meaning as in s. 401.465(1).

47 | (b) "Advanced stage of decomposition" means the breaking
48 | down of soft tissue, skin, and hair, as well as muscle and
49 | connective tissue.

50 | (c) "Crime scene investigator" means a forensic member of

51 a law enforcement agency, government, or civilian crime
52 laboratory whose primary responsibility is to document,
53 identify, collect, or preserve forensic evidence relevant to a
54 law enforcement, death, or natural disaster investigation, and
55 whose primary responsibilities include, but are not limited to,
56 collecting evidence such as fingerprints, footprints, tire
57 tracks, blood and other biological fluids, fibers, and fire
58 debris.

59 (d) "Directly witnessing" means to see or hear for
60 oneself.

61 (e) "Mass killing" means three or more killings in a
62 single incident.

63 (2) For purposes of this section and chapter 440, and
64 notwithstanding ss. 440.093 and 440.151(2), posttraumatic stress
65 disorder, as described in the Diagnostic and Statistical Manual
66 of Mental Disorders, Fifth Edition, published by the American
67 Psychiatric Association, suffered by a 911 public safety
68 telecommunicator or crime scene investigator is a compensable
69 occupational disease within the meaning of s. 440.151 if both of
70 the following apply:

71 (a) The posttraumatic stress disorder resulted from the
72 911 public safety telecommunicator or crime scene investigator
73 acting within the course of his or her employment.

74 (b) The 911 public safety telecommunicator or crime scene
75 investigator is examined and subsequently diagnosed with such

76 disorder by a licensed psychiatrist who is an authorized
 77 treating physician as provided in chapter 440 due to one of the
 78 following events:

79 1. Directly witnessing a death, including a death due to
 80 suicide, that involved grievous bodily harm of a nature that
 81 shocks the conscience;

82 2. Directly witnessing the death of a minor;

83 3. Directly witnessing an injury, including an attempted
 84 suicide, to a person who subsequently dies before or upon
 85 arrival at a hospital emergency department if the person was
 86 injured by grievous bodily harm of a nature that shocks the
 87 conscience;

88 4. Directly witnessing an injury to a minor who
 89 subsequently dies before or upon arrival at a hospital emergency
 90 department;

91 5. Verbally aiding a person seeking public safety
 92 assistance in the physical treatment of a minor who subsequently
 93 dies before or upon arrival at a hospital emergency department;

94 6. Verbally aiding a person seeking public safety
 95 assistance in the physical treatment of a person who
 96 subsequently dies during a state of emergency declared by the
 97 Governor and the person's death occurs because first responders
 98 cannot be dispatched;

99 7. Verbally aiding a person seeking public safety
 100 assistance in the physical treatment of an injury, including by

101 attempted suicide, to a person who subsequently dies before or
 102 upon arrival at a hospital emergency department if the person
 103 was injured by grievous bodily harm of a nature that shocks the
 104 conscience;

105 8. Directly witnessing a homicide regardless of whether
 106 the homicide was criminal or excusable, including murder, mass
 107 killings, manslaughter, self-defense, misadventure, and
 108 negligence;

109 9. Seeing for oneself a deceased minor;

110 10. Seeing for oneself a decedent whose death involved
 111 grievous bodily harm of a nature that shocks the conscience; or

112 11. Seeing for oneself a decedent who is in an advanced
 113 stage of decomposition.

114 (3) The posttraumatic stress disorder must be demonstrated
 115 by clear and convincing medical evidence.

116 (4) Benefits for a 911 public safety telecommunicator or
 117 crime scene investigator under this section:

118 (a) Do not require a physical injury to the 911 public
 119 safety telecommunicator or crime scene investigator.

120 (b) Are not subject to any of the following:

121 1. Apportionment due to a preexisting posttraumatic stress
 122 disorder.

123 2. Any limitation on temporary benefits under s. 440.093.

124 3. The 1-percent limitation on permanent psychiatric
 125 impairment benefits under s. 440.15(3).

126 (5) The time for notice of injury or death in cases of
127 compensable posttraumatic stress disorder under this section is
128 the same as in s. 440.151(6) and is measured from one of the
129 qualifying events listed in paragraph (2)(b) or the diagnosis of
130 the disorder, whichever is later. A claim under this section
131 must be properly noticed within 52 weeks after the qualifying
132 event or the diagnosis of the disorder, whichever is later.

133 (6) The employing agency of a 911 public safety
134 telecommunicator or crime scene investigator must provide
135 educational training related to mental health awareness,
136 prevention, mitigation, and treatment.

137 (7) The Department of Financial Services shall adopt rules
138 specifying injuries qualifying as grievous bodily harm of a
139 nature that shocks the conscience for the purposes of this
140 section.

141 Section 3. The Legislature determines and declares that
142 this act fulfills an important state interest.

143 Section 4. This act shall take effect July 1, 2023.