

26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50

Section 1. Subsection (1) of section 112.1815, Florida Statutes, is amended to read:

112.1815 Firefighters, paramedics, emergency medical technicians, and law enforcement officers; special provisions for employment-related accidents and injuries.—

(1) ~~The term "first responder"~~ As used in this section, the term "first responder" means any of the following persons who is a full-time paid employee, a part-time paid employee, or an unpaid volunteer:

(a) A law enforcement officer, as defined in s. 943.10(1).
~~s. 943.10,~~

(b) A firefighter, as defined in s. 633.102. ~~or~~

(c) An emergency medical technician or a paramedic, as those terms are defined in s. 401.23.

(d) A correctional officer, as defined in s. 943.10(2).

(e) A 911 public safety telecommunicator, as defined in s. 401.465(1).

(f) A federal law enforcement officer, as defined in s. 901.1505(1) ~~employed by state or local government. A volunteer law enforcement officer, firefighter, or emergency medical technician or paramedic engaged by the state or a local government is also considered a first responder of the state or local government for purposes of this section.~~

Section 2. Subsection (2) of section 112.18155, Florida

51 Statutes, is amended to read:

52 112.18155 Correctional officers; special provisions for
53 posttraumatic stress disorders.—

54 (2) For purposes of this section and chapter 440, and
55 notwithstanding ss. 440.093 and 440.151(2), posttraumatic stress
56 disorder, as described in the Diagnostic and Statistical Manual
57 of Mental Disorders, Fifth Edition, published by the American
58 Psychiatric Association, suffered by a correctional officer is a
59 compensable occupational disease within the meaning of s.
60 440.151 if both of the following apply:

61 (a) The posttraumatic stress disorder resulted from the
62 correctional officer acting within the course of his or her
63 employment ~~as provided in s. 440.091.~~

64 (b) The correctional officer is examined and subsequently
65 diagnosed with such disorder by a licensed psychiatrist, in
66 person or through telehealth as that term is defined in s.
67 456.47(1), who is an authorized treating physician as provided
68 in chapter 440 due to one of the following events:

69 1. Being taken hostage by an inmate or trapped in a life-
70 threatening situation as a result of an inmate's act;

71 2. Directly witnessing a death, including a death due to
72 suicide, of a person who suffered grievous bodily harm of a
73 nature that shocks the conscience;

74 3. Directly witnessing an injury, including an attempted
75 suicide, to a person who subsequently dies before or upon

76 arrival at a hospital emergency department if the person was
 77 injured by grievous bodily harm of a nature that shocks the
 78 conscience;

79 4. Participating in the physical treatment of an injury,
 80 or manually transporting a person who was injured, including by
 81 attempted suicide, who subsequently dies before or upon arrival
 82 at a hospital emergency department if the person was injured by
 83 grievous bodily harm of a nature that shocks the conscience;

84 5. Directly witnessing a homicide regardless of whether
 85 the homicide was criminal or excusable, including murder, mass
 86 killing, manslaughter, self-defense, misadventure, and
 87 negligence; or

88 6. Seeing for oneself a decedent whose death involved
 89 grievous bodily harm of a nature that shocks the conscience.

90 Section 3. Section 112.18156, Florida Statutes, is created
 91 to read:

92 112.18156 Crime scene investigators; special provisions
 93 for posttraumatic stress disorders.-

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

95 (a) "Advanced stage of decomposition" means the breaking
 96 down of soft tissue, skin, and hair, as well as muscle and
 97 connective tissue.

98 (b) "Crime scene investigator" means a forensic member of
 99 a law enforcement agency, government, or civilian crime
 100 laboratory whose primary responsibility is to document,

101 identify, collect, or preserve forensic evidence relevant to a
102 law enforcement, death, or natural disaster investigation, and
103 whose primary responsibilities include, but are not limited to,
104 collecting evidence such as fingerprints, footprints, tire
105 tracks, blood and other biological fluids, fibers, and fire
106 debris.

107 (c) "Directly witnessing" means to see or hear for
108 oneself.

109 (d) "Mass killing" means three or more killings in a
110 single incident.

111 (2) For purposes of this section and chapter 440, and
112 notwithstanding ss. 440.093 and 440.151(2), posttraumatic stress
113 disorder, as described in the Diagnostic and Statistical Manual
114 of Mental Disorders, Fifth Edition, published by the American
115 Psychiatric Association, suffered by a crime scene investigator
116 is a compensable occupational disease within the meaning of s.
117 440.151 if both of the following apply:

118 (a) The posttraumatic stress disorder resulted from the
119 crime scene investigator acting within the course of his or her
120 employment.

121 (b) The crime scene investigator is examined and
122 subsequently diagnosed with such disorder by a licensed
123 psychiatrist, in person or through telehealth as that term is
124 defined in s. 456.47(1), who is an authorized treating physician
125 as provided in chapter 440 due to one of the following events:

126 1. Directly witnessing a death, including a death due to
127 suicide, that involved grievous bodily harm of a nature that
128 shocks the conscience;

129 2. Directly witnessing the death of a minor;

130 3. Directly witnessing an injury, including an attempted
131 suicide, to a person who subsequently dies before or upon
132 arrival at a hospital emergency department if the person was
133 injured by grievous bodily harm of a nature that shocks the
134 conscience;

135 4. Directly witnessing an injury to a minor who
136 subsequently dies before or upon arrival at a hospital emergency
137 department;

138 5. Directly witnessing a homicide regardless of whether
139 the homicide was criminal or excusable, including murder, mass
140 killings, manslaughter, self-defense, misadventure, and
141 negligence;

142 6. Seeing for oneself a deceased minor;

143 7. Seeing for oneself a decedent whose death involved
144 grievous bodily harm of a nature that shocks the conscience; or

145 8. Seeing for oneself a decedent who is in an advanced
146 stage of decomposition.

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

149 (4) Benefits for a crime scene investigator under this
150 section:

151 (a) Do not require a physical injury to the crime scene
152 investigator.

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

154 1. Apportionment due to a preexisting posttraumatic stress
155 disorder.

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

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

159 (5) The time for notice of injury or death in cases of
160 compensable posttraumatic stress disorder under this section is
161 the same as in s. 440.151(6) and is measured from one of the
162 qualifying events listed in paragraph (2)(b) or the diagnosis of
163 the disorder, whichever is later. A claim under this section
164 must be properly noticed within 52 weeks after the qualifying
165 event or the diagnosis of the disorder, whichever is later.

166 (6) The employing agency of a crime scene investigator
167 must provide educational training related to mental health
168 awareness, prevention, mitigation, and treatment.

169 (7) The Department of Financial Services shall adopt rules
170 specifying injuries qualifying as grievous bodily harm of a
171 nature that shocks the conscience for the purposes of this
172 section.

173 Section 4. The Legislature determines and declares that
174 this act fulfills an important state interest.

175 Section 5. This act shall take effect July 1, 2024.