

By the Committee on Governmental Oversight and Accountability;
and Senator McClain

585-02817-25

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1 A bill to be entitled
2 An act relating to benefits for firefighters injured
3 during training exercises; amending s. 112.191, F.S.;
4 providing that a firefighter and his or her spouse and
5 dependent children are eligible for certain insurance
6 coverage if the firefighter is totally and permanently
7 disabled during an official training exercise;
8 providing a declaration of an important state
9 interest; providing an effective date.

10
11 Be It Enacted by the Legislature of the State of Florida:

12
13 Section 1. Paragraph (g) of subsection (2) of section
14 112.191, Florida Statutes, is amended to read:

15 112.191 Firefighters; death benefits.—

16 (2)

17 (g)1. Any employer who employs a full-time firefighter who,
18 on or after January 1, 1995, suffers a catastrophic injury, as
19 defined in s. 440.02, Florida Statutes 2002, in the line of duty
20 shall pay the entire premium of the employer's health insurance
21 plan for the injured employee, the injured employee's spouse,
22 and for each dependent child of the injured employee until the
23 child reaches the age of majority or until the end of the
24 calendar year in which the child reaches the age of 25 if the
25 child continues to be dependent for support, or the child is a
26 full-time or part-time student and is dependent for support. The
27 term "health insurance plan" does not include supplemental
28 benefits that are not part of the basic group health insurance
29 plan. If the injured employee subsequently dies, the employer

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30 shall continue to pay the entire health insurance premium for
31 the surviving spouse until remarried, and for the dependent
32 children, under the conditions outlined in this paragraph.

33 However:

34 a. Health insurance benefits payable from any other source
35 shall reduce benefits payable under this section.

36 b. It is unlawful for a person to willfully and knowingly
37 make, or cause to be made, or to assist, conspire with, or urge
38 another to make, or cause to be made, any false, fraudulent, or
39 misleading oral or written statement to obtain health insurance
40 coverage as provided under this paragraph. A person who violates
41 this sub-subparagraph commits a misdemeanor of the first degree,
42 punishable as provided in s. 775.082 or s. 775.083.

43 c. In addition to any applicable criminal penalty, upon
44 conviction for a violation as described in sub-subparagraph b.,
45 a firefighter or other beneficiary who receives or seeks to
46 receive health insurance benefits under this paragraph shall
47 forfeit the right to receive such health insurance benefits, and
48 shall reimburse the employer for all benefits paid due to the
49 fraud or other prohibited activity. For purposes of this sub-
50 subparagraph, the term "conviction" means a determination of
51 guilt that is the result of a plea or trial, regardless of
52 whether adjudication is withheld.

53 2. In order for the firefighter, spouse, and dependent
54 children to be eligible for such insurance coverage, the injury
55 must have occurred as the result of the firefighter's response
56 to what is reasonably believed to be an emergency involving the
57 protection of life or property, ~~or an unlawful act perpetrated~~
58 by another, or the injury must have occurred during an official

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59 training exercise in which the firefighter became totally and
60 permanently disabled. Except as otherwise provided herein, this
61 paragraph may not be construed to limit health insurance
62 coverage for which the firefighter, spouse, or dependent
63 children may otherwise be eligible, except that a person who
64 qualifies for benefits under this section is not eligible for
65 the health insurance subsidy provided under chapter 121, chapter
66 175, or chapter 185.

67
68 Notwithstanding any provision of this section to the contrary,
69 the death benefits provided in paragraphs (b), (c), and (f)
70 shall also be applicable and paid in cases where a firefighter
71 received bodily injury prior to July 1, 1993, and subsequently
72 died on or after July 1, 1993, as a result of such in-line-of-
73 duty injury.

74 Section 2. The Legislature determines and declares that
75 this act fulfills an important state interest.

76 Section 3. This act shall take effect July 1, 2025.