

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

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

13
14 **Section 1.** This act may be cited as the "Captain Anthony
15 Gillan Act."

16 **Section 2. Paragraph (g) of subsection (2) of section**
17 **112.191, Florida Statutes, is amended to read:**

18 112.191 Firefighters; death benefits.—

19 (2)

20 (g)1. Any employer who employs a full-time firefighter
21 who, on or after January 1, 1995, suffers a catastrophic injury,
22 as defined in s. 440.02, Florida Statutes 2002, in the line of
23 duty shall pay the entire premium of the employer's health
24 insurance plan for the injured employee, the injured employee's
25 spouse, and for each dependent child of the injured employee

26 | until the child reaches the age of majority or until the end of
27 | the calendar year in which the child reaches the age of 25 if
28 | the child continues to be dependent for support, or the child is
29 | a full-time or part-time student and is dependent for support.
30 | The term "health insurance plan" does not include supplemental
31 | benefits that are not part of the basic group health insurance
32 | plan. If the injured employee subsequently dies, the employer
33 | shall continue to pay the entire health insurance premium for
34 | the surviving spouse until remarried, and for the dependent
35 | children, under the conditions outlined in this paragraph.

36 | However:

37 | a. Health insurance benefits payable from any other source
38 | shall reduce benefits payable under this section.

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

46 | c. In addition to any applicable criminal penalty, upon
47 | conviction for a violation as described in sub-subparagraph b.,
48 | a firefighter or other beneficiary who receives or seeks to
49 | receive health insurance benefits under this paragraph shall
50 | forfeit the right to receive such health insurance benefits, and

51 shall reimburse the employer for all benefits paid due to the
52 fraud or other prohibited activity. For purposes of this sub-
53 subparagraph, the term "conviction" means a determination of
54 guilt that is the result of a plea or trial, regardless of
55 whether adjudication is withheld.

56 2. In order for the firefighter, spouse, and dependent
57 children to be eligible for such insurance coverage, the injury
58 must have occurred as the result of the firefighter's response
59 to what is reasonably believed to be an emergency involving the
60 protection of life or property, ~~or an unlawful act perpetrated~~
61 ~~by another, or the injury must have occurred during an official~~
62 training exercise in which the firefighter became totally and
63 permanently disabled. Except as otherwise provided herein, this
64 paragraph may not be construed to limit health insurance
65 coverage for which the firefighter, spouse, or dependent
66 children may otherwise be eligible, except that a person who
67 qualifies for benefits under this section is not eligible for
68 the health insurance subsidy provided under chapter 121, chapter
69 175, or chapter 185.

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

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76 | duty injury.

77 | **Section 3.** The Legislature determines and declares that
78 | this act fulfills an important state interest.

79 | **Section 4.** This act shall take effect July 1, 2025.