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1
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 sworn state-certified law enforcement officers, or
17 state-certified firefighters to pass an examination
18 administered by the department; requiring the
19 department to establish a procedure for the approval
20 of public safety telecommunication training programs;
21 providing for temporary waiver of certification
22 requirements in an area of the state for which the
23 Governor has declared a state of emergency; providing
24 a declaration of important state interest; providing
25 an effective date.

26
27 Be It Enacted by the Legislature of the State of Florida:
28

29 Section 1. Paragraphs (a) and (b) of subsection (9) of

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30 section 365.172, Florida Statutes, are amended to read:

31 365.172 Emergency communications number "E911."—

32 (9) AUTHORIZED EXPENDITURES OF E911 FEE.—

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

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

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

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

78 401.411 Disciplinary action; penalties.—

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

83 (g) Unprofessional conduct, including, but not limited to,
84 any departure from or failure to conform to the minimal
85 prevailing standards of acceptable practice under this part ~~as~~
86 ~~an emergency medical technician or paramedic,~~ including
87 undertaking activities that the emergency medical technician, ~~or~~

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88 paramedic, health care professional, or other professional is
89 not qualified by training or experience to perform.

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

97 Section 3. Section 401.465, Florida Statutes, is amended to
98 read:

99 401.465 911 public safety telecommunicator emergency
100 dispatcher certification.—

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

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

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

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117 (c) "Public safety telecommunication training program"
118 means a 911 emergency public safety telecommunications training
119 program that the department determines to be equivalent to the
120 public safety telecommunication training program curriculum
121 framework developed by the Department of Education and consists
122 of not less than 232 hours.

123 (2) PERSONNEL; STANDARDS AND CERTIFICATION.—

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

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

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

142 (d) ~~(b)~~ The department shall determine whether the applicant
143 meets the requirements specified in this section and in rules of
144 the department and shall issue a certificate to any person who
145 meets such requirements. Such requirements must include, ~~but~~

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146 ~~need not be limited to,~~ the following:

147 1. Completion of an appropriate 911 public safety
148 telecommunication ~~emergency dispatcher~~ training program that is
149 ~~equivalent to the most recently approved emergency dispatcher~~
150 ~~course of the Department of Education and consists of not less~~
151 ~~than 208 hours;~~

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

155 ~~2.3.~~ Certification under oath that the applicant is not
156 addicted to alcohol or any controlled substance;

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

160 ~~4.5.~~ Submission of the application fee prescribed in
161 subsection (3); ~~and~~

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

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

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

173 ~~(f)-(d)~~ A ~~Each~~ 911 public safety telecommunicator ~~emergency~~
174 ~~dispatcher~~ certificate expires automatically if not renewed at

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

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

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

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

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

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

202 (i)~~(g)~~ The department shall establish by rule a procedure
203 for the initial certification of 911 public safety

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204 telecommunicators ~~emergency dispatchers~~ as defined in this
205 section who have documentation of at least 3 ~~5~~ years of
206 supervised full-time employment as a 911 public safety
207 telecommunicator or an emergency dispatcher since January 1,
208 2002. This paragraph expires October 1, 2012.

209 (j) If a person was employed as a 911 public safety
210 telecommunicator, a sworn state-certified law enforcement
211 officer, or a state-certified firefighter before April 1, 2012,
212 he or she must pass the examination administered by the
213 department which measures the competency and proficiency in the
214 subject material of the public safety telecommunication program,
215 as defined paragraph (1) (c). Upon passage of the examination,
216 the completion of the public safety telecommunication training
217 program shall be waived.

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

221 (3) FEES.—

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

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

228 (c) ~~(b)~~ The application fee for the 911 public safety
229 telecommunicator ~~emergency dispatcher~~ biennial renewal
230 certificate shall be set by the department and may not exceed
231 \$50 ~~is \$100~~.

232 (d) The application fee for department approval of a public

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233 safety telecommunication training program shall be set by the
234 department and may not exceed \$50.

235 (e)~~(d)~~ Fees collected under this section shall be deposited
236 into the Emergency Medical Services Trust Fund and used solely
237 for salaries and expenses of the department incurred in
238 administering this section.

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

243 (g)~~(e)~~ Upon surrender of the original 911 public safety
244 telecommunicator or emergency dispatcher certificate and receipt
245 of a replacement fee set by the department, which may not exceed
246 \$25, the department shall issue a replacement certificate to
247 make a change in name.

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

252 Section 4. The Legislature finds that this act fulfills an
253 important state interest.

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