

26 112.18156 911 public safety telecommunicators and crime
27 scene investigators; special provisions for posttraumatic stress
28 disorders.-

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

30 (a) "911 public safety telecommunicator" has the same
31 meaning as in s. 401.465(1).

32 (b) "Advanced stage of decomposition" means the breaking
33 down of soft tissue, skin, and hair, as well as muscle and
34 connective tissue.

35 (c) "Crime scene investigator" means a forensic member of
36 a law enforcement agency, government, or civilian crime
37 laboratory whose primary responsibility is to document,
38 identify, collect, or preserve forensic evidence relevant to a
39 law enforcement, death, or natural disaster investigation, and
40 whose primary responsibilities include, but are not limited to,
41 collecting evidence such as fingerprints, footprints, tire
42 tracks, blood and other biological fluids, fibers, and fire
43 debris.

44 (d) "Directly witnessing" means to see or hear for
45 oneself.

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

48 (2) For purposes of this section and chapter 440, and
49 notwithstanding ss. 440.093 and 440.151(2), posttraumatic stress
50 disorder, as described in the Diagnostic and Statistical Manual

51 of Mental Disorders, Fifth Edition, published by the American
52 Psychiatric Association, suffered by a 911 public safety
53 telecommunicator or crime scene investigator is a compensable
54 occupational disease within the meaning of s. 440.151 if both of
55 the following apply:

56 (a) The posttraumatic stress disorder resulted from the
57 911 public safety telecommunicator or crime scene investigator
58 acting within the course of his or her employment as provided in
59 s. 440.091.

60 (b) The 911 public safety telecommunicator or crime scene
61 investigator is examined and subsequently diagnosed with such
62 disorder by a licensed psychiatrist who is an authorized
63 treating physician as provided in chapter 440 due to one of the
64 following events:

65 1. Directly witnessing a death, including a death due to
66 suicide, that involved grievous bodily harm of a nature that
67 shocks the conscience;

68 2. Directly witnessing the death of a minor;

69 3. Directly witnessing an injury, including an attempted
70 suicide, to a person who subsequently dies before or upon
71 arrival at a hospital emergency department if the person was
72 injured by grievous bodily harm of a nature that shocks the
73 conscience;

74 4. Directly witnessing an injury to a minor who
75 subsequently dies before or upon arrival at a hospital emergency

76 department;

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

80 6. Verbally aiding a person seeking public safety
 81 assistance in the physical treatment of a person who
 82 subsequently dies during a state of emergency declared by the
 83 Governor and the person's death occurs because first responders
 84 cannot be dispatched;

85 7. Verbally aiding a person seeking public safety
 86 assistance in the physical treatment of an injury, including by
 87 attempted suicide, to a person who subsequently dies before or
 88 upon arrival at a hospital emergency department if the person
 89 was injured by grievous bodily harm of a nature that shocks the
 90 conscience;

91 8. Directly witnessing a homicide regardless of whether
 92 the homicide was criminal or excusable, including murder, mass
 93 killings, manslaughter, self-defense, misadventure, and
 94 negligence;

95 9. Seeing for oneself a deceased minor;

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

98 11. Seeing for oneself a decedent who is in an advanced
 99 stage of decomposition.

100 (3) The posttraumatic stress disorder must be demonstrated

101 by clear and convincing medical evidence.

102 (4) Benefits for a 911 public safety telecommunicator or

103 crime scene investigator under this section:

104 (a) Do not require a physical injury to the 911 public

105 safety telecommunicator or crime scene investigator.

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

107 1. Apportionment due to a preexisting posttraumatic stress

108 disorder.

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

110 3. The 1-percent limitation on permanent psychiatric

111 impairment benefits under s. 440.15(3).

112 (5) The time for notice of injury or death in cases of

113 compensable posttraumatic stress disorder under this section is

114 the same as in s. 440.151(6) and is measured from one of the

115 qualifying events listed in paragraph (2)(b) or the diagnosis of

116 the disorder, whichever is later. A claim under this section

117 must be properly noticed within 52 weeks after the qualifying

118 event or the diagnosis of the disorder, whichever is later.

119 (6) The employing agency of a 911 public safety

120 telecommunicator or crime scene investigator must provide

121 educational training related to mental health awareness,

122 prevention, mitigation, and treatment.

123 (7) The Department of Financial Services shall adopt rules

124 specifying injuries qualifying as grievous bodily harm of a

125 nature that shocks the conscience for the purposes of this

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2023

126 | section.

127 | Section 2. The Legislature determines and declares that
128 | this act fulfills an important state interest.

129 | Section 3. This act shall take effect July 1, 2023.