

## HOUSE OF REPRESENTATIVES STAFF FINAL BILL ANALYSIS

**BILL #:** CS/HB 341 911 Public Safety Telecommunicator Certifications

**SPONSOR(S):** Health & Human Services Committee, Amesty and others

**TIED BILLS:** **IDEN./SIM. BILLS:** CS/SB 980

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**FINAL HOUSE FLOOR ACTION:** 114 Y's

0 N's

**GOVERNOR'S ACTION:** Approved

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### SUMMARY ANALYSIS

CS/HB 341 passed the House on April 20, 2023, and subsequently passed the Senate on April 26, 2023.

Florida is experiencing a staffing shortage of 911 public safety telecommunicators (911 PSTs). In 2022, only 79 percent of authorized 911 PST positions were filled, and some counties were only able to fill half of their authorized positions.

The Department of Health (DOH) certifies 911 PSTs. To become certified, an applicant must complete 232 hours of training and pass an exam. A 911 PST must renew the certification every two years and complete 20 hours of continuing education (CE) prior to renewal. A certificate that is not renewed automatically reverts to inactive status—known as involuntary inactive status—for up to 180 days. The 911 PST may reactivate the certificate within the 180 days if the PST completes the CE, pays a \$50 renewal fee, and pays a \$50 late fee. Certifications not renewed by the end of the 180-day period revert to a status of null and void and the individual must complete all the steps of initial certification to become certified again. However, if a 911 PST requests to be placed on inactive status prior to their renewal deadline, and pays the \$50 renewal fee, the certificate can be on inactive status for up to 6 years. The 911 PST may reactivate such a certificate within six years if they complete 20 hours of CE and pay the \$50 renewal fee.

The bill allows 911 PST certificates to automatically revert to inactive status for up to six years if not renewed at the end of the two-year certification period. As a result, a certificate holder will no longer have to request their certification be placed on inactive status or pay the applicable \$50 fee required by current law. Additionally, the bill provides retroactive applicability to certificates that have expired or are set to expire in the six-year period preceding the effective date of the bill. This allows a prior certificate holder whose certificate expired between July 1, 2017, and the effective date of the bill to reactivate their certificate.

The bill has no fiscal impact on state or local government.

The bill was approved by the Governor on May 24, 2023, ch. 2023-122, L.O.F., and became effective upon becoming law.

## I. SUBSTANTIVE INFORMATION

### A. EFFECT OF CHANGES:

#### Background

##### 911 Public Safety Telecommunicators

The Department of Health (DOH) is responsible for certifying 911 public safety telecommunicators<sup>1</sup> (PSTs).<sup>2</sup> Certification as a 911 PST is required for any person employed as a 911 PST at a public safety answering point—the public safety agency that receives incoming 911 requests for assistance and dispatches appropriate public safety agencies to respond to the requests.<sup>3</sup> A public safety agency<sup>4</sup> may employ a 911 PST for up to 12 months if the trainee works under the direct supervision of a certified 911 PST and is enrolled in a 911 PST training program.<sup>5</sup>

DOH is responsible for approving 911 PST training programs, which must be equivalent to the public safety telecommunication program curriculum framework developed by the Department of Education (DOE) and consist of at least 232 hours.<sup>6</sup> In addition to the required training, an individual must meet the following requirements:

- Pass an exam approved by DOH;
- Certify under oath that the applicant is free from any physical or mental defect or disease that might impair the applicant's ability to perform his or her duties; and
- Submit an application fee of \$50.

A 911 PST must renew the certification every two years and must receive 20 hours of continuing education (CE) prior to renewal.<sup>7</sup> A certificate that is not renewed at the end of the two-year period automatically reverts to inactive status—known as involuntary inactive status—for a period that may not exceed 180 days.<sup>8</sup> The 911 PST may reactivate such a certificate within the 180 days if they complete the 20 hours of CE and pay a \$50 renewal fee and a late fee of \$50.<sup>9</sup> Certifications not renewed by the end of the 180-day period revert to a status of null and void and the individual must complete all the steps of initial certification to become certified again.

However, a 911 PST may be afforded inactive status for up to six years if they request their certification to be placed on inactive status—known as voluntary inactive status—prior to their renewal deadline and pay the \$50 renewal fee.<sup>10</sup> The 911 PST may reactivate such a certificate within six years if they complete 20 hours of CE and pay the \$50 renewal fee.<sup>11</sup>

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<sup>1</sup> A 911 PST is a public safety dispatcher or 911 operator whose duties and responsibilities include the answering, receiving, transferring, and dispatching functions related to 911 calls; dispatching law enforcement officers, fire rescue services, emergency medical services, and other public safety services to the scene of an emergency; providing real-time information from federal, state, and local crime databases; or supervising or serving as the command officer to a person or persons having such duties and responsibilities.

<sup>2</sup> S. 401.465(2), F.S.

<sup>3</sup> S. 401.465(2)(a), F.S.

<sup>4</sup> Public safety agency means a functional division of a public agency which provides firefighting, law enforcement, medical, or other emergency services.

<sup>5</sup> S. 401.465(2)(b), F.S.

<sup>6</sup> S. 401.465(1)(d), F.S.

<sup>7</sup> S. 401.465(2)(e), F.S., and rule 64J-3.003, F.A.C.

<sup>8</sup> S. 401.465(2)(f), F.S.

<sup>9</sup> Id.

<sup>10</sup> S. 401.465(2)(h)3., F.S.

<sup>11</sup> Florida DOH, Renewal/Change of Status 911 PST Certification Form Part II E. Change of Status -Reactivation, available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-01490> (last visited May 10, 2023).

The training requirements are waived for the following individuals who must only pass the exam to become certified as a 911 PST:<sup>12</sup>

- A person who was employed as a 911 PST or a state firefighter prior to April 1, 2012; or
- A person employed as a sworn state-certified law enforcement officer, if the officer:
  - Is selected by their chief executive to perform as a 911 PST; and
  - Performs as a 911 PST on an occasional or limited basis.

### 911 PSA Staffing Shortage

Florida is experiencing a staffing shortage of 911 PSAs. According to the Department of Management Services, in 2022, only 79 percent of authorized 911 PST positions were filled, and some counties were only able to fill half of their authorized positions.<sup>13</sup> Public safety answering points nationwide are experiencing a shortage of 911 PSAs due to their inability to recruit and retain PSAs.<sup>14</sup> The staffing shortage is primarily a result of the high level of stress associated with the position, extensive training required, and inadequate levels of compensation.<sup>15</sup>

The State of Florida Statewide Emergency Communications E911 System Plan requires all public safety answering points to be staffed with an adequate number of answering positions to ensure that a minimum of 90 percent of calls are answered within 10 seconds.<sup>16</sup> However, local media reports indicate a shortage of 911 PSTs. For example, the Jacksonville Sheriff's Office had 140 authorized PST positions, with 33 vacancies in August of 2022, and reported an average ring time of 21.58 seconds in June of 2022.<sup>17</sup> Reports in Broward County describe separate events in which calls to the public safety answering point at the Broward County Sheriff's Office went unanswered.<sup>18</sup>

### **Effect of the Bill**

The bill allows the certification of a 911 PST to automatically revert to inactive status for up to six years if not renewed at the end of the two-year certification period. As a result, a certificate holder will no longer have to request their certification be placed on inactive status or pay the applicable \$50 fee required by current law.

Additionally, the bill provides retroactive applicability to certificates that have expired or are set to expire in the six-year period preceding the effective date of the bill. This allows a prior certificate holder whose certificate expired between July 1, 2017, and the effective date of the bill to reactivate their certificate.

The bill becomes effective upon becoming law.

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<sup>12</sup> S. 401.465(i)-(j), F.S.

<sup>13</sup> Florida Department of Management Services, *Staffing Shortages Survey* (2022), on file with Healthcare Regulation Subcommittee Staff.

<sup>14</sup> Jennifer Kirkland, 9-1-1, *What is Your Emergency? STAFFING*, PSC Magazine (July/August 2021), available at <https://www.apcointl.org/~documents/filing/911-what-is-your-emergency-staffing> (last visited May 10, 2023).

<sup>15</sup> *Id.*

<sup>16</sup> Florida Department of Management Services, Division of Telecommunications, *State of Florida Statewide Emergency Communications E911 System Plan*, available at [https://www.dms.myflorida.com/content/download/77627/453336/Emergency\\_Communications\\_E911\\_State\\_Plan\[R1\].pdf](https://www.dms.myflorida.com/content/download/77627/453336/Emergency_Communications_E911_State_Plan[R1].pdf) (last visited May 10, 2023).

<sup>17</sup> Atyia Collins, *Staff Shortages at 911 Call Center Could be Impacting JSO Dispatch Response Times*, First Coast News (August 16, 2022), available at <https://www.firstcoastnews.com/article/news/community/staff-shortage-911-call-center-could-impacting-jso-dispatch-response-times/77-223ff06-66cc-4bd2-9cfa-bf38d9c5260a> (last visited May 10, 2023).

<sup>18</sup> Ian Margol and Andrea Torres, *Shortage of 911 Operators Means Dispatch Still Can't Promptly Deal With Flood of Calls*, WPLG Local10.com (August 15, 2022), available at <https://www.local10.com/news/local/2022/08/15/shortage-of-911-operators-means-dispatch-cant-deal-with-flood-of-calls-on-single-incident/> (last visited May 10, 2023), see also Roy Ramos, *Couple Calls 911 After Hit-and-Run Crash in Broward; No one Answers*, WPLG Local10.com (May 10, 2023), available at <https://www.local10.com/news/local/2022/03/01/couple-calls-911-after-hit-and-run-crash-in-broward-no-one-answers/> (last visited May 10, 2023).

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

### A. FISCAL IMPACT ON STATE GOVERNMENT:

#### 1. Revenues:

None.

#### 2. Expenditures:

None.

### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

#### 1. Revenues:

Local governments may experience a positive fiscal impact do to potential savings realized from paying less in overtime benefits for currently employed PSTs who may be required to work less if the bill results in an increase to the PST workforce.

#### 2. Expenditures:

None. All vacancies are currently authorized and included in the budget of each public safety answering point.

### C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Individuals whose certificates expired from July 2017 to present will be able to reactivate their certifications. The number of individuals affected by this change and the number of individuals that would take advantage of the opportunity are unknown.

### D. FISCAL COMMENTS:

None.