

Not
entered

FLORIDA SENATE - 1992
By Senator Weinstein

FL-OTR2V
SB 604

29-596-92

1 A bill to be entitled
2 An act relating to firefighters, paramedics,
3 and emergency medical technicians; creating s.
4 112.181, F.S.; providing that health
5 impairment, death, or disability caused by
6 certain diseases is presumed to have been
7 suffered in the line of duty in certain
8 circumstances; authorizing certain insurance
9 contracts to include coverage for health
10 impairment, death, and disability; requiring
11 records to be kept of an employee's exposure to
12 these diseases; requiring an employee to be
13 notified of the exposure; requiring an employee
14 to notify the employing agency of known or
15 possible exposure; requiring preemployment
16 physicals for applicants for employment;
17 providing an effective date.
18
19 Be It Enacted by the Legislature of the State of Florida:
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21 WHEREAS, firefighters, paramedics, and emergency
22 medical technicians are trained to risk their lives or bodily
23 injury to protect the lives and property of others, and
24 WHEREAS, firefighters, paramedics, and emergency
25 medical technicians could be exposed by reason of their
26 employment to persons who suffer communicable diseases at the
27 time they are being rescued or treated, thereby endangering
28 the firefighters, paramedics, and emergency medical
29 technicians with the risk of contracting such diseases, and
30 WHEREAS, it is fair and proper that firefighters,
31 paramedics, and emergency medical technicians be compensated

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

TIFL 0023309

1 for death or disability or medical treatment due to exposure
2 to certain communicable diseases, and
3 WHEREAS, the Legislature finds that a proper and
4 legitimate state purpose is served when employees and retirees
5 of the state and its political subdivisions, and the
6 dependents, survivors, and beneficiaries of these employees
7 and retirees, are extended the basic protections afforded by
8 governmental retirement systems which provide fair and
9 adequate benefits and which are managed, administered, and
10 funded in an actuarially sound manner, as required by s. 14,
11 Art. X, State Constitution and chapter 112, Florida Statutes,
12 and

13 WHEREAS, this act fulfills an important state interest,
14 NOW, THEREFORE,

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16 Be It Enacted by the Legislature of the State of Florida:

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18 Section 1. Section 112.181, Florida Statutes, is
19 created to read:

20 112.181 Firefighters, paramedics, and emergency
21 medical technicians; special provisions relating to certain
22 communicable diseases.--

23 (1) Any condition or impairment of health suffered by
24 a firefighter, paramedic, or emergency medical technician who
25 is employed full time by the state or any political
26 subdivision of the state, which condition or impairment is
27 caused by acquired immune deficiency syndrome, hepatitis A,
28 hepatitis B, hepatitis non-A, hepatitis non-B, hepatitis C,
29 meningococcal meningitis, or pulmonary tuberculosis and which
30 requires medical treatment or results in death or total or
31 partial disability, is presumed to have been accidental and to

1 have been suffered in the line of duty, unless the contrary is
2 shown by competent evidence. However, before entering into
3 employment as a firefighter, paramedic, or emergency medical
4 technician, the applicant for employment must have undergone a
5 physical examination that failed to reveal any evidence of the
6 disease.

7 (2) This section does not apply to benefits payable
8 under or granted in a noncompulsory policy of life insurance
9 or disability insurance, unless the insurer and insured have
10 negotiated for such additional benefits to be included in the
11 policy contract. However, the state or any political
12 subdivision of the state may negotiate a policy contract for
13 life and disability insurance which includes accidental death
14 benefits or double indemnity coverage for any condition or
15 impairment of health suffered by a firefighter, paramedic, or
16 emergency medical technician, which condition or impairment is
17 caused by a disease listed in subsection (1) and results in
18 total or partial disability or death.

19 (3) The employing agency shall maintain a record of
20 any known exposure to the diseases listed in subsection (1) by
21 a firefighter, paramedic, or emergency medical technician and
22 shall immediately notify the employee of such exposure. The
23 employee shall notify the employing agency of any known or
24 possible exposure to such diseases.

25 Section 2. This act shall take effect upon becoming a
26 law.

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SENATE SUMMARY

Provides that a full-time firefighter, paramedic, or emergency medical technician employed by the state or a political subdivision of the state who suffers death or disability or who requires medical treatment for a condition caused by certain communicable diseases, will be presumed, under certain circumstances, to have a disability suffered in the line of duty, unless the contrary is shown by competent evidence. Requires an applicant for employment to have undergone a physical examination before employment as a firefighter, paramedic, or emergency medical technician, which exam shows the applicant to be free of the specified diseases. Authorizes certain insurance contracts which include benefits for a condition, impairment, or death caused by such diseases. Requires the employing agency to maintain a record of exposure to these diseases. Requires an employee to notify the employing agency of known or possible exposure to the diseases.

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