

HOUSE BILL 2275

By Williams

AN ACT to amend Tennessee Code Annotated, Title 8, Chapter 36, Part 8 and Title 68, Chapter 140, Part 3, relative to emergency medical services.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 8, Chapter 36, Part 8, is amended by adding the following as a new section:

(a) As used in this section, "emergency medical service employee" means a member who is licensed pursuant to the Emergency Medical Services Act of 1983, compiled in title 68, chapter 140, part 3, to provide emergency medical services, as that term is defined in § 68-140-302.

(b) Notwithstanding another law to the contrary, an emergency medical service employee retired for at least nine (9) months from the Tennessee consolidated retirement system, from a superseded system administered by this state, or from a local retirement fund pursuant to chapter 35, part 3 of this title may accept employment as an emergency medical service employee without loss or suspension of retirement benefits under the following conditions:

(1) The retired member must possess a current, valid license from the department of health to provide emergency medical services;

(2) The employing emergency medical service agency and retired member notify the retirement division upon hiring the retired member and submit such information on proper documents as required by the retirement division;

(3) The employing emergency medical service agency certifies in writing to the retirement division that the retired member has the requisite experience and training for the position to be filled;

(4) The retired member is not eligible to accrue additional retirement benefits as a result of such employment;

(5) The retired member must not receive automatic credit for years of experience in determining compensation; provided, that the salary paid to such retired member for serving as an emergency medical service employee must not be less than the rate of compensation set by the employing emergency medical service agency for emergency medical service employees with no experience filling similar positions, nor may such salary exceed eighty-five percent (85%) of the rate of compensation set by the employing emergency medical service agency for emergency medical service employees with comparable training and years of experience filling similar positions; and

(6) The retired member's appointment to serve as an emergency medical service employee cannot exceed one (1) year. The retired member may be reappointed to additional one-year periods; provided, that the conditions contained in this section are met for each such reappointment, including the certification required in subdivision (b)(3).

(c) Payments must be made by appropriation of funds by the retired member's emergency medical service agency, in the case of a municipality or political subdivision, for the purpose of:

(1) Making a payment equal to the amount the employer would have contributed had the retired member been a member of the retirement system for the position during the period of employment; or

(2) Paying an additional amount as determined by the board of trustees of the Tennessee consolidated retirement system required to fund the liability created by this section; provided, that such amount is not less than five percent (5%) of the retired member's pay rate.

(d) This section does not prohibit a retired member or prior class member of the Tennessee consolidated retirement system, or a retiree of a local retirement fund receiving benefits in accordance with chapter 35, part 3 of this title from returning to service temporarily in a position covered by the Tennessee consolidated retirement system pursuant to § 8-36-805.

(e) This section is repealed on July 1, 2023.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.