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2 An act relating to health care; establishing
3 the Prostate Cancer Task Force; providing for
4 representation on the task force; providing
5 responsibilities; requiring a report to the
6 Governor and the Legislature; providing for
7 future repeal; amending s. 240.5121, F.S.;
8 increasing membership of the Florida Cancer
9 Control and Research Advisory Council;
10 requiring the council to purchase or develop a
11 written summary of cancer treatment
12 alternatives for prostate cancer; providing
13 appropriations for developing or purchasing and
14 for distributing bilingual pamphlets, and for
15 developing and implementing education programs,
16 on prostate cancer and breast cancer; providing
17 an effective date.

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19 WHEREAS, the Legislature finds that prostate cancer
20 accounts for 32 percent of all cancer cases in males, and 14
21 percent of all cancer deaths in males, and

22 WHEREAS, the Legislature also finds that an estimated
23 21,538 men in this state will have developed prostate cancer
24 in 1995 and that prostate cancer is the most common form of
25 cancer for men in Florida and that prostate cancer will have
26 accounted for 14 percent of all cancer related deaths in males
27 in 1995, and

28 WHEREAS, the Legislature finds that for men diagnosed
29 with prostate cancer between 1986-1993 early detection
30 resulted in significant improvement of survival rates, and

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1 that the key to treatment of prostate cancer is the early
2 detection of its existence, and

3 WHEREAS, through the establishment of a state task
4 force on prostate cancer, the Legislature intends to decrease
5 the number of deaths due to prostate cancer by increasing
6 public awareness of prostate cancer and by increasing, through
7 public education, the percentage of men who seek examinations
8 by physicians, and obtain prostate-specific antigen blood
9 tests, and by increasing research and coordination at Florida
10 institutions studying the causes, methods of prevention, and
11 treatment of prostate cancer with private, state, and federal
12 dollars, NOW, THEREFORE,

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

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16 Section 1. Prostate Cancer Task Force.--

17 (1) There is created within the H. Lee Moffitt Cancer
18 Center and Research Institute at the University of South
19 Florida, the Prostate Cancer Task Force to identify where
20 public awareness, public education, research, and coordination
21 about prostate cancer are lacking and to prepare
22 recommendations to increase research on prostate cancer and
23 the public's awareness of the importance of the early
24 detection and treatment of prostate cancer.

25 (2) The task force is composed of 18 members to be
26 appointed by July 15, 1998. The Governor shall appoint one
27 representative of the University of Miami School of Medicine,
28 one representative of the public who is a consumer advocate
29 and who has been diagnosed with prostate cancer, one
30 representative of the Florida Cancer Control and Research
31 Advisory Council, one representative of the H. Lee Moffitt

1 Cancer Center and Research Institute, one representative from
2 a statutory teaching hospital affiliated with a
3 community-based cancer center, one representative of the NOVA
4 Southeastern University of Osteopathic Medicine, the Secretary
5 of Health or a designee, and the Insurance Commissioner or a
6 designee. At least two members appointed by the Governor
7 shall be members of an ethnic or racial minority group. The
8 President of the Senate shall appoint one representative of a
9 business that has fewer than 100 employees, one representative
10 of the University of Florida College of Medicine, one
11 representative of the American Cancer Society, one
12 representative of the public who is a consumer advocate and
13 who has been diagnosed with prostate cancer, and one
14 representative of a health maintenance organization. At least
15 one member appointed by the President of the Senate shall be a
16 member of an ethnic or racial minority group. The Speaker of
17 the House of Representatives shall appoint one representative
18 of a business that has more than 300 employees, one
19 representative of the University of South Florida College of
20 Medicine, one representative of the Association of Community
21 Cancer Centers, one representative of the public who is a
22 consumer advocate, and one representative of the insurance
23 industry. At least one member appointed by the Speaker of the
24 House of Representatives shall be a member of an ethnic or
25 racial minority group.

26 (3) The task force shall exist for 2 years and shall
27 meet as often as necessary to carry out its duties and
28 responsibilities. Within existing resources, the H. Lee
29 Moffitt Cancer Center and Research Institute shall provide
30 support services to the task force.

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1 (4) The members of the task force shall serve without
2 compensation.

3 (5) The task force may obtain information and
4 assistance from any state agency. All state agencies must
5 give the task force all relevant information and reasonable
6 assistance on matters related to prostate cancer.

7 (6) The task force shall collect research and
8 information on prostate cancer and shall prepare
9 recommendations for reducing the incidence and the number of
10 deaths related to prostate cancer in this state, in a report
11 submitted to the Governor and the Legislature by January 15,
12 2000. The task force must review and report on:

13 (a) The Florida Insurance Code as it relates to
14 coverage for prostate cancer screening and treatment options.
15 The task force shall include in its report recommended changes
16 to the Florida Insurance Code, including specific statutory
17 language, if the task force determines such changes are
18 necessary to ensure that policyholders have coverage for
19 appropriate and necessary prostate cancer prevention,
20 screening, and treatment. If any legislative changes are
21 recommended which would mandate a health coverage or the
22 offering of a health coverage, the task force must assess the
23 impact of the proposal as specified in s. 624.215, Florida
24 Statutes.

25 (b) Approaches to be used by state and local
26 governments to increase public awareness of prostate cancer.

27 (c) Approaches to improving coordination of agencies
28 and institutions involved in research and treatment of
29 prostate cancer.

30 (d) A plan for reducing the number of deaths related
31 to prostate cancer in this state, including:

1 1. The best methods to ensure that the percentage of
2 men in this state who receive the prostate-specific antigen
3 blood test increases.

4 2. The best methods to ensure that the percentage of
5 men in this state who seek examinations from physicians
6 increases.

7 (e) A plan for increasing research and appropriate
8 funding at Florida institutions studying cancer.

9 (f) A program to monitor the implementation and
10 effectiveness of task force recommendations.

11 (7) This section is repealed effective July 1, 2000.

12 Section 2. Paragraphs (a) and (m) of subsection (4) of
13 section 240.5121, Florida Statutes, are amended to read:

14 240.5121 Cancer control and research.--

15 (4) FLORIDA CANCER CONTROL AND RESEARCH ADVISORY
16 COUNCIL; CREATION; COMPOSITION.--

17 (a) There is created within the H. Lee Moffitt Cancer
18 Center and Research Institute, Inc., the Florida Cancer
19 Control and Research Advisory Council. The council shall
20 consist of 35 ~~32~~ members, which includes the chairperson, all
21 of whom must be residents of this state. All members, except
22 those appointed by the Speaker of the House of Representatives
23 and the President of the Senate, must be appointed by the
24 Governor. At least one of the members appointed by the
25 Governor must be 60 years of age or older. One member must be
26 a representative of the American Cancer Society; one member
27 must be a representative of the Florida Tumor Registrars
28 Association; one member must be a representative of the
29 Sylvester Comprehensive Cancer Center of the University of
30 Miami; one member must be a representative of the Department
31 of Health ~~and Rehabilitative Services~~; one member must be a

1 representative of the University of Florida Shands Cancer
2 Center; one member must be a representative of the Agency for
3 Health Care Administration; one member must be a
4 representative of the Florida Nurses Association; one member
5 must be a representative of the Florida Osteopathic Medical
6 Association; one member must be a representative of the
7 American College of Surgeons; one member must be a
8 representative of the School of Medicine of the University of
9 Miami; one member must be a representative of the College of
10 Medicine of the University of Florida; one member must be a
11 representative of NOVA Southeastern College of Osteopathic
12 Medicine; one member must be a representative of the College
13 of Medicine of the University of South Florida; one member
14 must be a representative of the College of Public Health of
15 the University of South Florida; one member must be a
16 representative of the Florida Society of Clinical Oncology;
17 one member must be a representative of the Florida Obstetric
18 and Gynecologic Society who has had training in the specialty
19 of gynecologic oncology; one member must be a representative
20 of the Florida Medical Association; one member must be a
21 member of the Florida Pediatric Society; one member must be a
22 representative of the Florida Radiological Society; one member
23 must be a representative of the Florida Society of
24 Pathologists; one member must be a representative of the H.
25 Lee Moffitt Cancer Center and Research Institute, Inc.; three
26 members must be representatives of the general public acting
27 as consumer advocates; one member must be a member of the
28 House of Representatives appointed by the Speaker of the
29 House; one member must be a member of the Senate appointed by
30 the President of the Senate; one member must be a
31 representative of the Department of Education; one member must

1 be a representative of the Florida Dental Association; one
2 member must be a representative of the Florida Hospital
3 Association; one member must be a representative of the
4 Association of Community Cancer Centers; one member shall be a
5 representative from a statutory teaching hospital affiliated
6 with a community-based cancer center; ~~and~~ one member must be a
7 representative of the Florida Association of Pediatric Tumor
8 Programs, Inc.; one member must be a representative of the
9 Cancer Information Service; one member must be a
10 representative of the Florida Agricultural and Mechanical
11 University Institute of Public Health; and one member must be
12 a representative of the Florida Society of Oncology Social
13 Workers. Of the members of the council appointed by the
14 Governor, at least 10 must be individuals who are minority
15 persons as defined by s. 288.703(3).

16 (m) If funds are specifically appropriated by the
17 Legislature, the council shall develop or purchase ~~a~~
18 standardized written summaries ~~summary~~, written in layperson's
19 terms and in language easily understood by the average adult
20 patient, informing actual and high-risk breast cancer
21 patients, prostate cancer patients, and men who are
22 considering prostate cancer screening of the medically viable
23 treatment alternatives available to them in the effective
24 management of breast cancer and prostate cancer; describing
25 such treatment alternatives; and explaining the relative
26 advantages, disadvantages, and risks associated therewith.
27 The breast cancer ~~Such~~ summary, upon its completion, shall be
28 printed in the form of a pamphlet or booklet and made
29 continuously available to physicians and surgeons in this
30 state for their use in accordance with s. 458.324 and to
31 osteopathic physicians in this state for their use in

1 accordance with s. 459.0125. The council shall periodically
2 update both summaries ~~the pamphlet~~ to reflect current
3 standards of medical practice in the treatment of breast
4 cancer and prostate cancer. The council shall develop and
5 implement ~~an~~ educational programs ~~program~~, including
6 distribution of the summaries ~~pamphlet or booklet~~ developed or
7 purchased under this paragraph, to inform citizen groups,
8 associations, and voluntary organizations about early
9 detection and treatment of breast cancer and prostate cancer.

10 Section 3. There is hereby appropriated from the
11 General Revenue Fund to the H. Lee Moffitt Cancer Center and
12 Research Institute at the University of South Florida the sum
13 of \$50,000 for fiscal year 1998-1999 to be used by the Cancer
14 Control and Research Advisory Council to produce or purchase
15 and to distribute pamphlets, in English and in Spanish, that
16 inform patients about treatment alternatives for prostate
17 cancer and to develop and implement an educational program
18 that includes the distribution of the pamphlets, as required
19 by s. 240.5121, Florida Statutes.

20 Section 4. There is hereby appropriated from the
21 General Revenue Fund to the H. Lee Moffitt Cancer Center and
22 Research Institute at the University of South Florida the sum
23 of \$50,000 for fiscal year 1998-1999 to be used by the Cancer
24 Control and Research Advisory Council to produce or purchase
25 and to distribute pamphlets, in English and in Spanish, that
26 inform patients about treatment alternatives for breast cancer
27 and to develop and implement an educational program that
28 includes the distribution of the pamphlets, as required by s.
29 240.5121, Florida Statutes.

30 Section 5. This act shall take effect July 1 of the
31 year in which enacted.