

By Representative Valdes

1 A bill to be entitled
2 An act relating to corporate income tax;
3 creating s. 220.187, F.S.; providing a credit
4 against such tax for a percentage of
5 preventative cancer-screening procedures
6 contributions made by a business firm;
7 providing eligibility and application
8 requirements; providing limitations; providing
9 for carryover of the credit; providing for
10 administration by the Department of Health;
11 amending s. 220.02, F.S.; providing order of
12 credits against the tax; providing an effective
13 date.

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

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17 Section 1. Section 220.187, Florida Statutes, is
18 created to read:

19 220.187 Preventative cancer-screening procedures tax
20 credit.--

21 (1) LEGISLATIVE FINDINGS.--The Legislature finds that:

22 (a) While studies have shown that early detection and
23 screening for cancer can reduce cancer morbidity by as much as
24 50 percent for certain types of cancer, physicians report that
25 concern about the costs of early detection procedures is one
26 of the main reasons for hesitating to order those procedures.

27 (b) Many low-income Americans lack comprehensive
28 health insurance coverage and many existing health insurance
29 policies do not adequately cover the costs of early detection
30 and cancer-screening procedures.

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1 (c) Socioeconomically disadvantaged Americans are
2 disproportionately affected by cancer in terms of incidence
3 and mortality.

4 (d) In order to significantly improve the availability
5 of early detection and cancer-screening procedures for
6 low-income state residents who are not covered by insurance,
7 it is necessary to provide additional resources, and the
8 participation of private enterprise in funding such tests is
9 an effective means for accomplishing that goal.

10 (2) POLICY AND PURPOSE.--It is the policy of this
11 state to encourage the participation of private corporations
12 in improving the health and well-being of state residents.
13 The purpose of this section is to provide an incentive for
14 such participation by granting partial state income tax
15 credits to corporations that contribute resources to fund
16 early detection and cancer-screening procedures for low-income
17 state residents who are not covered by insurance.

18 (3) AUTHORIZATION TO GRANT PREVENTATIVE
19 CANCER-SCREENING PROCEDURES TAX CREDITS; LIMITATIONS ON
20 INDIVIDUAL CREDITS AND PROGRAM SPENDING.--

21 (a) There shall be allowed a credit of 25 percent of a
22 preventative cancer-screening procedures contribution against
23 any tax due for a taxable year under this chapter.

24 (b) A business firm may not receive more than \$200,000
25 in annual tax credits for all approved preventative
26 cancer-screening procedures contributions made in any one
27 year.

28 (c) The total amount of tax credit that may be granted
29 for all contributions approved under this section is \$3
30 million annually.

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1 (d) Each proposal for the granting of the tax credit
2 must have the prior approval of the Secretary of Health or his
3 or her designee.

4 (e) If the credit granted under this section is not
5 fully used in any one year because of insufficient tax
6 liability on the part of the business firm, the unused amount
7 may be carried forward for a period not to exceed 5 years.
8 The carryover credit may be used in a subsequent year when the
9 tax imposed by this chapter for that year exceeds the credit
10 for that year under this section after applying the other
11 credits and unused credit carryovers in the order provided in
12 s. 220.02(10).

13 (4) ELIGIBILITY REQUIREMENTS.--

14 (a) All preventative cancer-screening procedures
15 contributions by a business firm must be in the form of cash
16 or other liquid assets or in-kind contributions if such
17 business firm is licensed under chapter 395 or chapter 483.

18 (b) All preventative cancer-screening procedures
19 contributions must benefit low-income state residents whose
20 income level does not exceed 150 percent of the official
21 poverty level, as defined by the Office of Management and
22 Budget of the United States Government, and to the extent such
23 person's medical insurance does not pay for such preventative
24 cancer-screening procedures costs.

25 (c) The preventative cancer-screening procedures
26 contribution must be expended on the components of the adult
27 health screen as outlined in the Medicaid program including
28 these cancer-screening procedures:

29 1. Physical breast examination and mammogram for
30 detecting female breast cancer;

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1 2. Digital rectal examination for detecting prostate
2 cancer, proctoscopy, and blood stool test for occult blood for
3 detecting colon and rectum cancer;

4 3. Pap test for detecting uterine cancer; and

5 4. Pelvic examination for detecting ovarian cancer.

6 (5) APPLICATION REQUIREMENTS.--

7 (a) Any business firm that wishes to make preventative
8 cancer-screening procedures contributions, whether in the form
9 of cash or other liquid assets or by in-kind contributions if
10 such business firm is licensed under chapter 395 or chapter
11 483, must submit a proposal to the Department of Health. The
12 proposal must identify the business firm; specify the form of
13 the contribution, the facility that will administer the
14 eligible cancer-screening procedures, and the fee schedule
15 established for Medicaid compensable service; and include all
16 supporting information that is required by rule.

17 (b) Any business firm that wishes to participate in
18 this program must submit an application for tax credit to the
19 Department of Health. The application must identify the
20 business firm that donates the funds or in-kind contribution
21 and the recipient facility and must specify the value and
22 purpose of the contribution. The recipient facility must
23 verify the terms of the application, indicate its willingness
24 to receive the contribution, and certify that the screening
25 procedures will be provided according to the fee schedules
26 established for Medicaid compensable services. This
27 verification must be in writing and must accompany the
28 application for tax credit.

29 (c) The business firm must submit a separate
30 application for tax credit for each individual contribution
31 that it proposes to contribute to each recipient facility.

1 (6) ADMINISTRATION.--

2 (a) The Department of Health may adopt rules necessary
3 to administer this section, including rules for approving or
4 disapproving proposals by business firms.

5 (b) The decision of the secretary or his or her
6 designee must be in writing, and, if approved, the approval
7 must state the maximum credit allowable to the business firm.
8 A copy of the decision must be transmitted to the executive
9 director of the Department of Revenue, who shall apply such
10 credit to the tax liability of the business firm.

11 (c) The Department of Health shall periodically
12 monitor all approved projects in a manner consistent with
13 available resources to ensure that resources are used in
14 accordance with this section; however, each approved project
15 must be reviewed at least every 2 years.

16 (d) The Department of Revenue shall adopt rules
17 necessary to ensure the orderly implementation and
18 administration of this section.

19 Section 2. Subsection (10) of section 220.02, Florida
20 Statutes, is amended to read:

21 220.02 Legislative intent.--

22 (10) It is the intent of the Legislature that credits
23 against either the corporate income tax or the franchise tax
24 be applied in the following order: those enumerated in s.
25 220.68, those enumerated in s. 631.719(1), those enumerated in
26 s. 631.705, those enumerated in s. 220.18, those enumerated in
27 s. 631.828, those enumerated in s. 220.181, those enumerated
28 in s. 220.183, those enumerated in s. 220.182, those
29 enumerated in s. 221.02, those enumerated in s. 220.184, those
30 enumerated in s. 220.186, those enumerated in s. 220.187, and
31 those enumerated in s. 220.188.

1 Section 3. This act shall take effect January 1, 1998.
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4 HOUSE SUMMARY
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6 Provides a credit against the corporate income tax for 25
7 percent of a preventative cancer-screening procedures
8 contribution made by a business firm in the form of cash
9 or other liquid assets or in-kind contributions by
10 taxpayers licensed as hospitals or health testing
11 services. Provides eligibility requirements and
12 application requirements. Provides limitations.
13 Provides for administration by the Department of Health.
14 Authorizes carryover of the credit and provides the order
15 in which the credit will be applied.
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