

By the Committees on Ways and Means, Health Care and Senators Grant, Clary, Sullivan, Casas, Meadows, Kirkpatrick and Campbell

301-2022A-98

1 A bill to be entitled
 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 section 624.215,
24 Florida 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 the best methods

1 to increase the percentage of men in this state who receive
2 physical examinations and specifically prostate screening.

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

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

7 (7) This section is repealed July 1, 2000.

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

10 240.5121 Cancer control and research.--

11 (4) FLORIDA CANCER CONTROL AND RESEARCH ADVISORY
12 COUNCIL; CREATION; COMPOSITION.--

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

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

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

12 (m) If funds are specifically appropriated by the
13 Legislature, the council shall develop or purchase ~~a~~
14 standardized written summaries ~~summary~~, written in layperson's
15 terms and in language easily understood by the average adult
16 patient, informing actual and high-risk breast cancer
17 patients, prostate cancer patients, and men who are
18 considering prostate cancer screening of the medically viable
19 treatment alternatives available to them in the effective
20 management of breast cancer and prostate cancer; describing
21 such treatment alternatives; and explaining the relative
22 advantages, disadvantages, and risks associated therewith.
23 The breast cancer ~~Such~~ summary, upon its completion, shall be
24 printed in the form of a pamphlet or booklet and made
25 continuously available to physicians and surgeons in this
26 state for their use in accordance with s. 458.324 and to
27 osteopathic physicians in this state for their use in
28 accordance with s. 459.0125. The council shall periodically
29 update both summaries ~~the pamphlet~~ to reflect current
30 standards of medical practice in the treatment of breast
31 cancer and prostate cancer. The council shall develop and

1 implement ~~an~~ educational programs ~~program~~, including
2 distribution of the summaries ~~pamphlet or booklet~~ developed or
3 purchased under this paragraph, to inform citizen groups,
4 associations, and voluntary organizations about early
5 detection and treatment of breast cancer and prostate cancer.

6 Section 3. There is appropriated from the General
7 Revenue Fund to the H. Lee Moffitt Cancer Center and Research
8 Institute at the University of South Florida the sum of
9 \$50,000 for fiscal year 1998-1999 to be used by the Cancer
10 Control and Research Advisory Council to produce or purchase
11 and to distribute pamphlets, in English and in Spanish, that
12 inform patients about treatment alternatives for prostate
13 cancer and to develop and implement an educational program
14 that includes the distribution of the pamphlets, as required
15 by section 240.5121, Florida Statutes.

16 Section 4. There is appropriated from the General
17 Revenue Fund to the H. Lee Moffitt Cancer Center and Research
18 Institute at the University of South Florida the sum of
19 \$50,000 for fiscal year 1998-1999 to be used by the Cancer
20 Control and Research Advisory Council to produce or purchase
21 and to distribute pamphlets, in English and in Spanish, that
22 inform patients about treatment alternatives for breast cancer
23 and to develop and implement an educational program that
24 includes the distribution of the pamphlets, as required by
25 section 240.5121, Florida Statutes.

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

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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
CS/SB 94

Contains the following provisions:

Creates the Prostate Cancer Task Force comprised of 18 members.

Increases the membership of the Florida Cancer Control and Research Advisory Council from 32 to 35.

Provides for Prostate Cancer and Breast Cancer Pamphlets to be prepared in English and Spanish.

Appropriates \$50,000 to Moffitt Cancer Center to be used by the Cancer Control Research Council to produce Breast Cancer pamphlets.

Adds a representative from Nova Southeastern University of Osteopathic Medicine to the Prostate Cancer Task Force.