

By Representatives Fasano and Littlefield

1 A bill to be entitled
2 An act relating to biomedical research;
3 creating s. 240.5125, F.S.; establishing a
4 biomedical research program within the
5 Department of Health; providing goals;
6 providing for use of funds appropriated from
7 the Tobacco Settlement Trust Fund; creating the
8 Biomedical Research Advisory Council; providing
9 for membership and organization; providing for
10 staff and assistance of the department;
11 providing duties of the council; providing for
12 applications for and award of biomedical
13 research grants and fellowships; providing for
14 appointment of peer review panels; providing
15 for ethical conduct of the council and peer
16 review panels; authorizing the department to
17 contract for administration of the program;
18 providing a limitation of administrative
19 expenses; authorizing the department to adopt
20 rules; requiring an annual report; providing an
21 appropriation; providing an effective date.

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

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25 Section 1. Section 240.5125, Florida Statutes, is
26 created to read:

27 240.5125 Biomedical research.--

28 (1) There is established within the Department of
29 Health a biomedical research program to support research
30 initiatives that address the health care problems of
31 Floridians in the areas of cancer, cardiovascular disease,

1 stroke, and pulmonary disease. The long-term goals of the
2 program shall be to:

3 (a) Improve the health of Florida's citizens by
4 researching better treatments for cancer, cardiovascular
5 disease, stroke, and pulmonary disease.

6 (b) Expand the foundation of biomedical knowledge
7 relating to the diagnosis and treatment of diseases related to
8 tobacco use, including cancer, cardiovascular disease, stroke,
9 and pulmonary disease.

10 (c) Improve the quality of Florida's academic health
11 centers by bringing the advances of biomedical research into
12 the training of physicians and other health care providers.

13 (d) Increase the state's per capita funding for
14 biomedical research by undertaking new initiatives in
15 biomedical research that will attract additional funding from
16 outside the state.

17 (e) Stimulate economic activity in the state in areas
18 related to biomedical research, such as the research and
19 production of pharmaceuticals, biotechnology, and medical
20 devices.

21 (2) Funds appropriated from the Tobacco Settlement
22 Trust Fund to the Department of Health for the purposes of
23 this section shall be used exclusively for the award of grants
24 and fellowships, under the program established in this
25 section, for research relating to the diagnosis and treatment
26 of diseases related to tobacco use, including cancer,
27 cardiovascular disease, stroke, and pulmonary disease, and for
28 expenses incurred in the administration of this section.

29 (3) There is created within the Department of Health
30 the Biomedical Research Advisory Council.

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1 (a) The council shall consist of nine members,
2 including: the chief executive officer of the Florida Division
3 of the American Cancer Society, or a designee; the chief
4 executive officer of the Florida/Puerto Rico Affiliate of the
5 American Heart Association, or a designee; and the chief
6 executive officer of the American Lung Association of Florida,
7 or a designee. The Governor shall appoint the remaining six
8 members of the council, as follows:

9 1. Two members with expertise in the field of
10 biomedical research.

11 2. One member with expertise in the field of
12 behavioral or social research.

13 3. One member from a professional medical
14 organization.

15 4. One member from a research university in the state.

16 5. One member representing the general population of
17 the state.

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19 In making his appointments, the Governor shall select
20 primarily, but not exclusively, Floridians with biomedical and
21 lay expertise in the general areas of cancer, cardiovascular
22 disease, stroke, and pulmonary disease. The Governor's
23 appointments shall be for a 3-year term and shall reflect the
24 diversity of the state's population. A council member
25 appointed by the Governor may not serve more than two
26 consecutive terms.

27 (b) The council shall adopt internal organizational
28 procedures as necessary for its efficient organization.

29 (c) The department shall provide such staff,
30 information, and other assistance as is reasonably necessary
31 to assist the council in carrying out its responsibilities.

1 (d) Members of the council shall serve without
2 compensation, but may receive reimbursement as provided in s.
3 112.061 for travel and other necessary expenses incurred in
4 the performance of their official duties.

5 (4) The council shall advise the Secretary of Health
6 as to the direction and scope of the biomedical research
7 program. The responsibilities of the council may include, but
8 are not limited to:

9 (a) Providing advice on program priorities and
10 emphases.

11 (b) Providing advice on the overall program budget.

12 (c) Participating in periodic program evaluation.

13 (d) Assisting in the development of guidelines to
14 ensure fairness, neutrality, and adherence to the principles
15 of merit and quality in the conduct of the program.

16 (e) Assisting in the development of appropriate
17 linkages to nonacademic entities, such as voluntary
18 organizations, health care delivery institutions, industry,
19 government agencies, and public officials.

20 (f) Developing criteria and standards for the award of
21 research grants.

22 (g) Developing administrative procedures relating to
23 solicitation, review, and award of research grants and
24 fellowships, to ensure an impartial, high-quality peer review
25 system.

26 (h) Developing and supervising research peer review
27 panels.

28 (i) Reviewing reports of peer review panels and making
29 recommendations for research grants and fellowships.

30 (j) Developing and providing oversight regarding
31 mechanisms for the dissemination of research results.

1 (5)(a) Applications for biomedical research funding
2 under the program may be submitted from any university or
3 established research institute in the state. All qualified
4 investigators in the state, regardless of institution
5 affiliation, shall have equal access and opportunity to
6 compete for the research funding.

7 (b) Grants and fellowships shall be awarded by the
8 Secretary of Health, after consultation with the council, on
9 the basis of scientific merit, as determined by an open
10 competitive peer review process that ensures objectivity,
11 consistency, and high quality. The following types of
12 applications shall be considered for funding:

- 13 1. Investigator-initiated research grants.
- 14 2. Institutional research grants.
- 15 3. Predoctoral and postdoctoral research fellowships.

16 (6) To ensure that all proposals for research funding
17 are appropriate and are evaluated fairly on the basis of
18 scientific merit, the Secretary of Health, in consultation
19 with the council, shall appoint a peer review panel of
20 independent, scientifically qualified individuals to review
21 the scientific content of each proposal and establish its
22 scientific priority score. The priority scores shall be
23 forwarded to the council and must be considered in determining
24 which proposals shall be recommended for funding.

25 (7) The council and the peer review panel shall
26 establish and follow rigorous guidelines for ethical conduct
27 and adhere to a strict policy with regard to conflict of
28 interest. No member of the council or panel shall participate
29 in any discussion or decision with respect to a research
30 proposal by any firm, entity, or agency with which the member
31 is associated as a member of the governing body or as an

1 employee, or with which the member has entered into a
2 contractual arrangement. Meetings of the council and the peer
3 review panels shall be subject to the provisions of chapter
4 119, s. 286.011, and s. 24, Art. I of the State Constitution.

5 (8) The department may contract on a competitive bid
6 basis with an appropriate entity to administer the program.
7 Administrative expenses shall not exceed 15 percent of the
8 total funds available to the program in any given year.

9 (9) The department, after consultation with the
10 council, is authorized to adopt rules as necessary to
11 implement the provisions of this section.

12 (10) The council shall submit an annual progress
13 report on the state of biomedical research in Florida to the
14 Governor, the Secretary of Health, the President of the
15 Senate, and the Speaker of the House of Representatives by
16 February 1. The report shall include:

17 (a) A list of research projects supported by grants or
18 fellowships awarded under the program.

19 (b) A list of recipients of program grants or
20 fellowships.

21 (c) A list of publications in peer reviewed journals
22 involving research supported by grants or fellowships awarded
23 under the program.

24 (d) The total amount of biomedical research funding
25 currently flowing into the state.

26 (e) New grants for biomedical research which were
27 funded based on research supported by grants or fellowships
28 awarded under the program.

29 (f) Progress in the treatment of diseases related to
30 tobacco use, including cancer, cardiovascular disease, stroke,
31 and pulmonary disease.

1 Section 2. There is hereby appropriated from the
2 Tobacco Settlement Trust Fund to the Department of Health for
3 fiscal year 1999-2000 the sum of \$150 million to fund the
4 biomedical research program as provided for in s. 240.5125,
5 Florida Statutes.

6 Section 3. This act shall take effect July 1, 1999.

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HOUSE SUMMARY

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Establishes a biomedical research program under the Department of Health to support research in diseases related to tobacco use, including cancer, cardiovascular diseases, stroke, and pulmonary diseases. Provides for funding from the Tobacco Settlement Trust Fund. Creates a Biomedical Research Advisory Council to advise and assist the Secretary of Health in developing and administering the program and awarding research grants and fellowships. Provides for creation of peer review panels to provide independent, scientific review of research proposals. Provides for appointment and duties of council and panel members. Provides procedures for application for and award of grants and fellowships. Provides for ethical conduct of the council and panels. Provides responsibilities of the Department of Health. Authorizes the department to contract by competitive bid for administration of the program. Authorizes the department to adopt rules. Requires the council to provide an annual progress report to the Governor, Secretary of Health, and Legislature. Provides an appropriation.