

By Senator Webster

9-297A-04

1 A bill to be entitled
2 An act relating to health care delivery and
3 research; creating the Florida Center for
4 Universal Research to Eradicate Disease within
5 the Department of Health; providing legislative
6 findings and intent; specifying the purpose and
7 duties of the center; requiring an annual
8 report to the Governor and Legislature;
9 authorizing the department to outsource the
10 duties of the center; creating an advisory
11 council; amending s. 215.5602, F.S.; expanding
12 the long-term goals of the James and Esther
13 King Biomedical Research Program to include the
14 cure of specified diseases; creating the
15 Florida Cancer Research Cooperative; providing
16 for a board of directors; providing the
17 cooperative's mission and duties; creating the
18 Florida Public Health Foundation, Inc.;
19 providing the foundation's duties and mission;
20 providing for its board of directors; requiring
21 reports; requiring the foundation to coordinate
22 monthly health awareness campaigns to
23 disseminate information about specified
24 diseases and conditions; providing an effective
25 date.

26
27 WHEREAS, stimulating activity in strategic sectors of
28 the state's economy produces immeasurable and varied benefits
29 for the people of this state, and

30 WHEREAS, the health sector in particular - including
31 areas such as biotechnology, medical technology, life

1 sciences, and health care education, research, development,
2 and delivery - represents an economic sector with tremendous
3 potential to produce employment, financial, wellness,
4 educational, cost-saving, and other benefits for the people of
5 this state, and

6 WHEREAS, stimulating activity in the health sector of
7 the economy requires a comprehensive and synergistic policy
8 approach that addresses coordinating biomedical and related
9 research programs and opportunities; promoting the development
10 of cures for diseases; facilitating advanced, world-class
11 research in targeted fields of medical science; disseminating
12 information on and increasing awareness of research
13 innovations; and expanding educational opportunities in health
14 and science fields, and

15 WHEREAS, it serves a public purpose and furthers an
16 essential government service to protect the health, safety,
17 and welfare of Floridians, NOW, THEREFORE,

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

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21 Section 1. Florida Center for Universal Research to
22 Eradicate Disease.--

23 (1) The Legislature finds that an estimated 128
24 million Americans suffer from acute, chronic, and degenerative
25 diseases and that biomedical research is the key to finding
26 cures for these diseases that negatively affect all
27 Floridians. The Legislature further finds that, while there is
28 much research being conducted throughout this state and
29 throughout the world, there is a lack of coordination of
30 efforts among researchers. The Legislature, therefore, finds
31 that there is a significant need for a coordinated effort if

1 the goal of curing disease is to be achieved. Moreover, the
2 Legislature finds that the biomedical technology sector meets
3 the criteria of a high-impact sector, pursuant to section
4 288.108, Florida Statutes, having a high importance to this
5 state's economy with a significant potential for growth and
6 contribution to our universities and quality of life.

7 (2) It is the intent of the Legislature that Florida
8 strive to become the nation's leader in biomedical research
9 and commit itself to being the state to find cures for the
10 most deadly and widespread diseases. It is further the intent
11 of the Legislature that there be a coordinated effort among
12 the state's public and private universities and the biomedical
13 industry to discover such cures. Moreover, it is the intent of
14 the Legislature to expand the state economy by attracting
15 biomedical researchers and research companies to this state.

16 (3) There is established within the Department of
17 Health the Florida Center for Universal Research to Eradicate
18 Disease, which shall be known as "CURED."

19 (a) The purpose of the center is to coordinate,
20 improve, expand, and monitor all biomedical research programs
21 within the state, facilitate funding opportunities, and foster
22 improved technology transfer of research findings into
23 clinical trials and widespread public use.

24 (b) The goal of the center is to find cures for
25 diseases such as cancer, heart disease, lung disease,
26 diabetes, autoimmune disorders, and neurological disorders,
27 including Alzheimer's disease, epilepsy, and Parkinson's
28 disease.

29 (c) The center shall hold an annual biomedical
30 technology summit in Florida to which biomedical researchers,
31 biomedical technology companies, business incubators,

1 pharmaceutical manufacturers, and others around the nation and
2 world are invited to share biomedical research findings in
3 order to expedite the discovery of cures. Summit attendees
4 shall cover the costs of such attendance or obtain sponsorship
5 for such attendance.

6 (d) The center shall encourage clinical trials in this
7 state on research that holds promise of curing a disease or
8 condition. The center shall facilitate partnerships between
9 researchers, treating physicians, and community hospitals for
10 the purpose of sharing new techniques and new research
11 findings, as well as coordinating voluntary donations to
12 ensure an adequate supply of adult stem cells, placentas, or
13 cord blood.

14 (e) The center shall facilitate the formation of
15 partnerships between researchers in this state and
16 institutions in other states and countries where research with
17 rare plants or animals could lead to cures.

18 (f) The center shall encourage agricultural colleges
19 and agricultural businesses in this state to be active in the
20 search for cures and in providing information to the public
21 about disease prevention.

22 (g) The center shall facilitate partnerships among
23 researchers working to cure all types of diseases, including
24 those that are prevalent in developed countries and those that
25 occur mainly in developing countries.

26 (h) The center shall also encourage the discovery and
27 production in Florida of vaccines that prevent disease.

28 (i) The center shall monitor the supply and demand
29 needs of researchers relating to stem cell research and other
30 types of human tissue research. If the center determines that
31 there is a need for increased donation of human tissue, it

1 shall notify hospitals licensed pursuant to chapter 395,
2 Florida Statutes, which have entered into partnership
3 agreements with research institutes conducting stem cell
4 research located in the same geographic region as the
5 researchers demanding the stem cells or other tissues. Such
6 hospitals shall implement programs that encourage voluntary
7 donations of cord blood or other needed adult tissue.

8 (j) The center shall be funded through private, state,
9 and federal sources.

10 (k) The center shall serve as a registry of all known
11 opportunities for biomedical grants and may assist any public
12 or private biomedical research program in this state in
13 preparing grant requests.

14 (l) The center shall maintain a website with links to
15 peer-reviewed biomedical research. The website shall also
16 contain a list of all known biomedical research being
17 conducted in Florida and shall facilitate communication among
18 researchers and other interested parties.

19 (m) The center shall submit an annual report to the
20 Governor, the President of the Senate, and the Speaker of the
21 House of Representatives no later than January 15 which
22 contains recommendations for legislative change necessary to
23 foster a positive climate for biomedical research in this
24 state.

25 (n) The Department of Health may outsource the duties
26 of the center to a private entity or state university.

27 (4) There is established within the center an advisory
28 council that shall meet at least annually.

29 (a) The council shall consist of the members of the
30 board of directors of the Florida Research Consortium and at
31 least one representative from:

- 1 1. The Emerging Technology Commission.
- 2 2. Enterprise Florida, Inc.
- 3 3. BioFlorida.
- 4 4. The Florida Biomedical Research Advisory Council.
- 5 5. The Florida Medical Foundation.
- 6 6. Pharmaceutical Research and Manufacturers of
- 7 America.
- 8 7. The Florida Tri-Agency Coalition on Smoking and
- 9 Health.
- 10 8. The Florida Cancer Research Cooperative, Inc.
- 11 9. The American Cancer Society, Florida Division, Inc.
- 12 10. The American Heart Association.
- 13 11. The American Lung Association of Florida.
- 14 12. The American Diabetes Association, South Coastal
- 15 Region.
- 16 13. The Alzheimer's Association.
- 17 14. The Epilepsy Foundation.
- 18 15. The National Parkinson Foundation.
- 19 16. The Florida Public Health Foundation, Inc.
- 20 17. Scripps Florida or the entity formed in this state
- 21 by The Scripps Research Institute.

22 (b) Members of the council shall serve without
23 compensation and each organization represented shall cover all
24 expenses of its representative.

25 Section 2. Paragraphs (a) and (b) of subsection (1),
26 subsection (2), and paragraph (f) of subsection (10) of
27 section 215.5602, Florida Statutes, are amended to read:

28 215.5602 James and Esther King Biomedical Research
29 Program.--

30 (1) There is established within the Department of
31 Health the James and Esther King Biomedical Research Program

1 funded by the proceeds of the Lawton Chiles Endowment Fund
2 pursuant to s. 215.5601. The purpose of the James and Esther
3 King Biomedical Research Program is to provide an annual and
4 perpetual source of funding in order to support research
5 initiatives that address the health care problems of
6 Floridians in the areas of tobacco-related cancer,
7 cardiovascular disease, stroke, and pulmonary disease. The
8 long-term goals of the program are to:

9 (a) Improve the health of Floridians by researching
10 better prevention, diagnoses, ~~and treatments,~~ and cures for
11 cancer, cardiovascular disease, stroke, and pulmonary disease.

12 (b) Expand the foundation of biomedical knowledge
13 relating to the prevention, diagnosis, ~~and treatment,~~ and cure
14 of diseases related to tobacco use, including cancer,
15 cardiovascular disease, stroke, and pulmonary disease.

16 (2) Funds appropriated for the James and Esther King
17 Biomedical Research Program shall be used exclusively for the
18 award of grants and fellowships as established in this
19 section; for research relating to the prevention, diagnosis,
20 ~~and treatment,~~ and cure of diseases related to tobacco use,
21 including cancer, cardiovascular disease, stroke, and
22 pulmonary disease; and for expenses incurred in the
23 administration of this section. Priority shall be granted to
24 research designed to prevent or cure disease.

25 (10) The council shall submit an annual progress
26 report on the state of biomedical research in this state to
27 the Florida Center for Universal Research to Eradicate Disease
28 and to the Governor, the Secretary of Health, the President of
29 the Senate, and the Speaker of the House of Representatives by
30 February 1. The report must include:

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1 (f) Progress in the prevention, diagnosis, ~~and~~
2 treatment, and cure of diseases related to tobacco use,
3 including cancer, cardiovascular disease, stroke, and
4 pulmonary disease.

5 Section 3. Florida Cancer Research Cooperative.--

6 (1) Effective July 1, 2004, the Florida Cancer
7 Research Cooperative is established for the purpose of making
8 the State of Florida a world-class center for cancer research.

9 (2)(a) A not-for-profit corporation, acting as an
10 instrumentality of the Florida Dialogue on Cancer, shall be
11 organized for the purpose of governing the affairs of the
12 cooperative.

13 (b) The Florida Cancer Research Cooperative, Inc., may
14 create not-for-profit corporate subsidiaries to fulfill its
15 mission. The not-for-profit corporation and its subsidiaries
16 may receive, hold, invest, and administer property and any
17 moneys acquired from private, local, state, and federal
18 sources, as well as technical and professional income
19 generated or derived from the mission-related activities of
20 the cooperative.

21 (c) The affairs of the not-for-profit corporation
22 shall be managed by a board of directors which shall consist
23 of:

24 1. The Secretary of Health or his or her designee;

25 2. The Chief Executive Officer of the H. Lee Moffitt
26 Cancer Center or his or her designee;

27 3. The President of the University of Florida Shands
28 Cancer Center or his or her designee;

29 4. The Chief Executive Officer of the University of
30 Miami Sylvester Comprehensive Cancer Center or his or her
31 designee;

1 5. The Chief Executive Officer of the Mayo Clinic,
2 Jacksonville, or his or her designee;

3 6. The Chief Executive Officer of the American Cancer
4 Society, Florida Division, or his or her designee;

5 7. The President of the American Cancer Society,
6 Florida Division Board of Directors, or his or her designee;

7 8. The President of the Florida Society of Clinical
8 Oncology or his or her designee;

9 9. The Chief Executive Officer of Enterprise Florida,
10 Inc., or his or her designee;

11 10. Three representatives from large Florida hospitals
12 or institutions, not delineated in subparagraphs 1. through
13 6., which treat a large volume of cancer patients. One shall
14 be appointed by the Governor, one shall be appointed by the
15 Speaker of the House of Representatives, and one shall be
16 appointed by the President of the Senate;

17 11. Three representatives from community-based,
18 statewide organizations serving populations that experience
19 cancer disparities, one of whom shall be appointed by the
20 Governor, one of whom shall be appointed by the Speaker of the
21 House of Representatives, and one of whom shall be appointed
22 by the President of the Senate;

23 12. One member of the Florida House of
24 Representatives, to be appointed by the Speaker of the House
25 of Representatives;

26 13. One member of the Florida Senate, to be appointed
27 by the President of the Senate;

28 14. Three university presidents, one of whom shall be
29 appointed by the Governor, one of whom shall be appointed by
30 the Speaker of the House of Representatives, and one of whom
31 shall be appointed by the President of the Senate; and

1 15. Five representatives from other statewide public
2 health organizations whose missions include public education
3 and the eradication of cancer, three of whom shall be
4 appointed by the Governor, one of whom shall be appointed by
5 the Speaker of the House of Representatives, and one of whom
6 shall be appointed by the President of the Senate.

7 (d) Appointments made by the Speaker of the House of
8 Representatives and the President of the Senate pursuant to
9 paragraph (c) shall be for 2-year terms, concurrent with the
10 bienniums in which they serve as presiding officers.

11 (e) Appointments made by the Governor pursuant to
12 paragraph (c) shall be for 2-year terms, although the Governor
13 may reappoint directors.

14 (f) Members of the board of directors of the
15 not-for-profit corporation or any subsidiaries shall serve
16 without compensation.

17 (3) The cooperative shall issue an annual report to
18 the Florida Center for Universal Research to Eradicate Disease
19 and to the Governor, the Speaker of the House of
20 Representatives, and the President of the Senate, by December
21 15 of each year, with policy and funding recommendations
22 regarding cancer research capacity in Florida and related
23 issues.

24 Section 4. Florida Cancer Research Cooperative;
25 mission and duties.--

26 (1) The cooperative shall develop and centralize the
27 processes and shared services for expanding cancer research in
28 Florida through:

29 (a) Support through bioinformatics, in order to create
30 a cancer informatics infrastructure that enhances information
31 and resource exchange and integration through researchers

1 working in diverse disciplines to facilitate the full spectrum
2 of cancer investigations;

3 (b) Technical coordination, business development, and
4 support of intellectual property;

5 (c) Development of a statewide cancer clinical trials
6 network as contemplated in section 1; and

7 (d) Other activities to support multidisciplinary
8 research.

9 (2) The cooperative shall work in concert with the
10 Florida Center for Universal Research to Eradicate Disease
11 created in section 1 to ensure that the goals of the center
12 are advanced.

13 Section 5. The Florida Public Health Foundation, Inc.;
14 establishment; purpose; mission; duties; board of directors.--

15 (1) The Florida Public Health Foundation, Inc.,
16 referred to in this section as "the corporation," is
17 established for the purpose of disseminating breakthrough
18 findings in biomedical research and promoting health awareness
19 in this state.

20 (2) The corporation's mission includes disseminating
21 information about innovative biomedical research and clinical
22 trials in this state as well as making Floridians and their
23 treatment providers aware of specified diseases and conditions
24 and available methods of preventing, diagnosing, treating, and
25 curing those diseases and conditions.

26 (3) The purpose and objective of the corporation shall
27 be to operate exclusively for charitable, scientific, and
28 educational purposes; to protect and improve the health and
29 well-being of Florida's people and environment through
30 partnerships committed to program innovation, education,
31 applied research, and policy development; and to engage in

1 charitable programs dedicated to improving the health of
2 Floridians.

3 (4) The corporation shall be established as a
4 not-for-profit entity qualifying under section 501(c)(3) of
5 the Internal Revenue Code. The corporation may receive, hold,
6 invest, and administer property and any moneys acquired from
7 private, local, state, and federal sources, as well as
8 technical and professional income generated or derived from
9 the mission-related activities of the corporation. The
10 corporation shall have all of the powers conferred upon
11 corporations organized under chapter 617, Florida Statutes.

12 (5) The corporation's duties include procuring funds
13 necessary for accomplishing the purpose and mission of the
14 corporation. The corporation shall strive to complement,
15 supplement, and enhance the missions of the various
16 organizations, entities, and departments represented on its
17 board by serving as the lead corporation in the state for
18 promoting public health awareness.

19 (6) The affairs of the corporation shall be managed by
20 an executive director appointed by a board of directors
21 consisting of:

22 (a) The Secretary of Health or his or her designee.

23 (b) A former member of the Senate appointed by the
24 President of the Senate.

25 (c) A former member of the House of Representatives
26 appointed by the Speaker of the House of Representatives.

27 (d) A representative of the American Heart
28 Association.

29 (e) A representative of the American Cancer Society,
30 Florida Division, Inc.

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- 1 (f) A representative of the American Lung Association
2 of Florida.
- 3 (g) A representative of the American Diabetes
4 Association, South Coastal Region.
- 5 (h) A representative of the Alzheimer's Association.
- 6 (i) A representative of the Epilepsy Foundation.
- 7 (j) A representative of the National Parkinson
8 Foundation.
- 9 (k) A representative of the March of Dimes, Florida
10 Chapter.
- 11 (l) A representative of the Arthritis Foundation,
12 Florida Chapter.
- 13 (m) A representative of the American Liver Foundation.
- 14 (n) A representative of the Florida Council for
15 Behavioral Healthcare, Inc.
- 16 (o) A representative of the Florida Alcohol and Drug
17 Abuse Association, Inc.
- 18 (p) A representative of Pharmaceutical Research and
19 Manufacturers of America.
- 20 (q) A representative of the Florida Public Health
21 Association.
- 22 (r) A representative of the Florida Association of
23 County Health Officers.
- 24 (s) A public health academician selected by the state
25 health officer.
- 26 (t) A representative of the Florida Academy of Family
27 Physicians.
- 28 (u) Three consumers who have demonstrated an interest
29 in protecting the public health appointed by the Florida
30 Public Health Association.
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1 (7) Members of the board of directors shall serve for
2 2-year terms and shall serve without compensation.

3 (8) The corporation, in consultation with the
4 Department of Health and the Florida Center for Universal
5 Research to Eradicate Disease, shall facilitate communication
6 between biomedical researchers and health care providers each
7 month according to the health awareness schedule established
8 by the Florida Public Health Foundation, Inc., in order to
9 ensure ongoing dialogue between researchers, treatment
10 providers, and the department.

11 (9) The corporation and the Department of Health shall
12 enter into partnerships with providers of continuing education
13 for health care practitioners, including, but not limited to,
14 hospitals and state and local medical organizations, to ensure
15 that practitioners are aware of the most recent and complete
16 diagnostic and treatment tools.

17 (10) The corporation shall provide an annual report
18 concerning its activities and finances to the Florida Center
19 for Universal Research to Eradicate Disease and shall provide
20 copies of the annual report to the Governor, the President of
21 the Senate, and the Speaker of the House of Representatives.

22 Section 6. Health awareness campaigns.--

23 (1) The Florida Public Health Foundation, Inc., in
24 consultation with the Department of Health, shall coordinate
25 monthly health awareness campaigns with national, state, and
26 local health care organizations and government entities
27 targeting a wide range of the public, including: parents;
28 teachers and other school employees; students in 4th through
29 12th grades, colleges, and universities; state agency
30 employees; county and local government employees; patients of
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1 county health departments; Medicaid recipients; health care
2 professionals and providers; and the public in general.

3 (2) The awareness campaigns shall include the
4 provision of educational information about preventing,
5 detecting, treating, and curing the following diseases or
6 conditions. Additional diseases and conditions that impact the
7 public health may be added by the board or directors of the
8 Florida Public Health Foundation, Inc.; however, each of the
9 following diseases or conditions must be included in an
10 awareness campaign during at least one month in any 24-month
11 period:

12 (a) Cancer, including breast, prostate, cervical,
13 ovarian, colorectal, and skin cancer and leukemia.

14 (b) Heart disease.

15 (c) Stroke.

16 (d) Lung disease, including asthma and
17 smoking-relating disease.

18 (e) Neurological disorders and disease, including
19 Alzheimer's disease, Parkinson's disease, and epilepsy.

20 (f) Gastrointestinal disease.

21 (g) Kidney disease.

22 (h) Diabetes.

23 (i) Liver disease.

24 (j) Autoimmune disorders.

25 (k) Birth defects and prenatal care.

26 (l) Obesity and malnutrition.

27 (m) Sexually transmissible disease.

28 (n) Hepatitis A, hepatitis B, and hepatitis C.

29 (o) Arthritis.

30 (p) Vaccine-preventable diseases.

31 (q) Infectious diseases, including HIV/AIDS.

1 (r) Substance abuse.

2 (s) Mental illness.

3 (3) The health awareness campaigns shall be funded by
4 the Florida Public Health Foundation, Inc. and the Department
5 of Health to the extent that funds are available from public
6 and private sources.

7 (4) Health awareness information shall be disseminated
8 through all available methods, including print, audio, visual,
9 and electronic media.

10 Section 7. This act shall take effect upon becoming a
11 law.

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14 SENATE SUMMARY

15 Creates the Florida Center for Universal Research to
16 Eradicate Disease and the Florida Public Health
17 Foundation, Inc., to conduct, facilitate, and encourage
18 biomedical research to eradicate or cure disease and to
19 disseminate information about disease and about such
20 research. (See bill for details.)

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