

By the Committee on Appropriations; and Senators Peadar and Fasano

309-2010-04

1 A bill to be entitled
2 An act relating to health care initiatives;
3 creating s. 460.4062, F.S.; authorizing the
4 Department of Health to issue a chiropractic
5 medicine faculty certificate for certain
6 faculty who have accepted appointment at a
7 publicly funded state university or college;
8 authorizing an application fee; providing
9 requirements; providing for renewal and
10 expiration of the certificate; creating s.
11 1004.383, F.S.; authorizing a chiropractic
12 medicine degree program at Florida State
13 University; amending s. 561.121, F.S.;
14 providing for annual appropriations from the
15 proceeds of the excise tax on alcoholic
16 beverages; providing for distribution of the
17 funds to the Department of Elderly Affairs, the
18 Department of Health, and Florida State
19 University for specified research and programs;
20 amending s. 1004.43, F.S.; authorizing the
21 establishment of for-profit subsidiaries of the
22 governing corporation of the H. Lee Moffitt
23 Cancer Center and Research Institute;
24 prohibiting certain activities by such
25 for-profit subsidiaries; requiring that the
26 contract with the State Board of Education
27 permit the use of lands, facilities, and
28 personnel for research, education, treatment,
29 prevention, and early detection of cancer;
30 authorizing the governing corporation and its
31 subsidiaries to obtain their own property

1 insurance coverage; requiring that certain
2 appropriations be paid directly to the board of
3 directors of the governing corporation;
4 changing the appointing authority for certain
5 members of the council of scientific advisers;
6 amending s. 1004.445, F.S.; renaming the
7 Florida Alzheimer's Center and Research
8 Institute as the Johnnie B. Byrd, Sr.,
9 Alzheimer's Center and Research Institute;
10 deleting obsolete provisions; authorizing the
11 establishment of for-profit subsidiaries of the
12 governing corporation; requiring that the
13 contract with the State Board of Education
14 permit the use of lands, facilities, and
15 personnel for research, education, treatment,
16 prevention, and early detection of Alzheimer's
17 disease; authorizing the governing corporation
18 and its subsidiaries to obtain their own
19 property insurance coverage; requiring that
20 certain appropriations be paid directly to the
21 board of directors of the governing
22 corporation; changing the appointing authority
23 for certain members of the council of
24 scientific advisers; creating the Florida
25 Center for Universal Research to Eradicate
26 Disease within the Department of Health;
27 providing legislative findings and intent;
28 specifying the purpose and duties of the
29 center; requiring an annual report to the
30 Governor and Legislature; authorizing the
31 department to outsource the duties of the

1 center; creating an advisory council; amending
2 s. 215.5602, F.S.; expanding the long-term
3 goals of the James and Esther King Biomedical
4 Research Program to include the cure of
5 specified diseases; providing funding priority;
6 amending s. 215.5601, F.S., relating to the
7 Lawton Chiles Endowment Fund, to conform an
8 intent provision; designating the Life Sciences
9 Building at Florida State University as the
10 "James E. 'Jim' King, Jr., Building";
11 authorizing Florida State University to erect
12 markers; creating the Florida Cancer Research
13 Council; providing for the affairs of the
14 council; requiring an annual report; specifying
15 the council's mission and duties; creating the
16 Florida Public Health Foundation, Inc.;
17 providing for the foundation's duties and
18 mission; providing for its board of directors;
19 requiring annual reports; requiring the
20 foundation to coordinate monthly health
21 awareness campaigns to disseminate information
22 about specified diseases and conditions;
23 establishing the Prostate Cancer Awareness
24 Program within the Department of Health for the
25 purpose of providing statewide outreach and
26 education concerning the early detection of
27 prostate cancer; authorizing the department and
28 the Florida Public Health Foundation, Inc., to
29 enter into contracts and seek grant moneys;
30 creating an advisory committee to assist the
31 program; providing for membership of the

1 committee; authorizing reimbursement for
2 certain per diem and travel expenses; creating
3 the Cervical Cancer Elimination Task Force;
4 providing duties and membership of the task
5 force; requiring the task force to make
6 periodic reports to the Governor and the
7 Legislature; providing for the task force to be
8 dissolved on a specified date; providing an
9 effective date.

10
11 Be It Enacted by the Legislature of the State of Florida:

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13 Section 1. Section 460.4062, Florida Statutes, is
14 created to read:

15 460.4062 Chiropractic medicine faculty certificate.--

16 (1) The department may issue a chiropractic medicine
17 faculty certificate without examination to an individual who
18 remits a nonrefundable application fee, not to exceed \$100 as
19 determined by rule of the board, and who demonstrates to the
20 board that he or she meets the following requirements:

21 (a) Is a graduate of an accredited school or college
22 of chiropractic accredited by the Council on Chiropractic
23 Education.

24 (b) Holds a valid current license to practice
25 chiropractic medicine in another jurisdiction in the United
26 States.

27 (c) Is at least 21 years of age and of good moral
28 character.

29 (d) Has not committed any act or offense in any
30 jurisdiction which would constitute the basis for discipline
31 under this chapter or chapter 456.

1 (e) Has been offered and has accepted a full-time
2 faculty appointment to teach in a program of chiropractic
3 medicine at a publicly funded state university or college and
4 provides a certification from the dean of the appointing
5 college acknowledging the appointment.

6 (2) The certificate shall authorize the holder to
7 practice only in conjunction with his or her faculty position
8 at a publicly funded state university or college and its
9 affiliated clinics that are registered with the board as sites
10 at which holders of chiropractic medicine faculty certificates
11 will be practicing. Such certificate shall automatically
12 expire upon termination of the holder's relationship with the
13 school or after a period of 2 years, whichever occurs first.

14 (3) The holder of a faculty certificate may engage in
15 the practice of chiropractic medicine as permitted by this
16 section.

17 (4) Notwithstanding subsection (2), a chiropractic
18 medicine faculty certificate is renewable every 2 years by a
19 holder who applies to the board on a form prescribed by the
20 board and who continues to satisfy the requirements set forth
21 in subsection (1).

22 Section 2. Section 1004.383, Florida Statutes, is
23 created to read:

24 1004.383 Chiropractic medicine degree program at
25 Florida State University.--A chiropractic medicine degree
26 program is authorized at Florida State University.

27 Section 3. Paragraph (a) of subsection (1) of section
28 561.121, Florida Statutes, is amended to read:

29 561.121 Deposit of revenue.--
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1 (1) All state funds collected pursuant to ss. 563.05,
2 564.06, and 565.12 shall be paid into the State Treasury and
3 disbursed in the following manner:

4 (a)1. Two percent of monthly collections of the excise
5 taxes on alcoholic beverages established in ss. 563.05,
6 564.06, and 565.12 shall be deposited into the Alcoholic
7 Beverage and Tobacco Trust Fund to meet the division's
8 appropriation for the state fiscal year.

9 2. Beginning July 1, 2004, there is annually
10 distributed \$15 million to the Grants and Donations Trust Fund
11 within the Department of Elderly Affairs, and these funds are
12 annually appropriated to support a contract with the Johnnie
13 B. Byrd, Sr., Alzheimer's Center and Research Institute at the
14 University of South Florida for the purposes of conducting
15 research, developing and operating integrated data projects,
16 and providing assistance to memory disorder clinics as
17 established in s. 430.502.

18 3. Beginning July 1, 2004, there is annually
19 distributed \$6 million to the Biomedical Research Trust Fund
20 within the Department of Health, and these funds are annually
21 appropriated to the James and Esther King Biomedical Research
22 Program. From these funds, up to \$250,000 shall be available
23 annually for the operating costs of the Florida Center for
24 Universal Research to Eradicate Disease.

25 4. Beginning July 1, 2004, there is annually
26 distributed \$9 million to be paid by warrant drawn by the
27 Chief Financial Officer upon the State Treasury to Florida
28 State University for the School of Chiropractic Medicine.
29 Notwithstanding the provisions of chapter 216, until the
30 School of Chiropractic Medicine is completely staffed and
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1 fully operational, these funds may be used for any purpose by
2 the university.

3 Section 4. Section 1004.43, Florida Statutes, is
4 amended to read:

5 1004.43 H. Lee Moffitt Cancer Center and Research
6 Institute.--There is established the H. Lee Moffitt Cancer
7 Center and Research Institute at the University of South
8 Florida.

9 (1) The State Board of Education shall enter into an
10 agreement for the utilization of the facilities on the campus
11 of the University of South Florida to be known as the H. Lee
12 Moffitt Cancer Center and Research Institute, including all
13 furnishings, equipment, and other chattels used in the
14 operation of said facilities, with a Florida not-for-profit
15 corporation organized solely for the purpose of governing and
16 operating the H. Lee Moffitt Cancer Center and Research
17 Institute. This not-for-profit corporation, acting as an
18 instrumentality of the State of Florida, shall govern and
19 operate the H. Lee Moffitt Cancer Center and Research
20 Institute in accordance with the terms of the agreement
21 between the State Board of Education and the not-for-profit
22 corporation. The not-for-profit corporation may, with the
23 prior approval of the State Board of Education, create either
24 for-profit or not-for-profit corporate subsidiaries, or both,
25 to fulfill its mission. For-profit subsidiaries of the
26 not-for-profit corporation may not compete with for-profit
27 health care providers in the delivery of radiation therapy
28 services to patients.The not-for-profit corporation and its
29 subsidiaries are authorized to receive, hold, invest, and
30 administer property and any moneys received from private,
31 local, state, and federal sources, as well as technical and

1 professional income generated or derived from practice
2 activities of the institute, for the benefit of the institute
3 and the fulfillment of its mission. The affairs of the
4 corporation shall be managed by a board of directors who shall
5 serve without compensation. The President of the University of
6 South Florida and the chair of the State Board of Education,
7 or his or her designee, shall be directors of the
8 not-for-profit corporation, together with 5 representatives of
9 the state universities and no more than 14 nor fewer than 10
10 directors who are not medical doctors or state employees. Each
11 director shall have only one vote, shall serve a term of 3
12 years, and may be reelected to the board. Other than the
13 President of the University of South Florida and the chair of
14 the State Board of Education, directors shall be elected by a
15 majority vote of the board. The chair of the board of
16 directors shall be selected by majority vote of the directors.

17 (2) The State Board of Education shall provide in the
18 agreement with the not-for-profit corporation for the
19 following:

20 (a) Approval of the articles of incorporation of the
21 not-for-profit corporation by the State Board of Education.

22 (b) Approval of the articles of incorporation of any
23 not-for-profit corporate subsidiary created by the
24 not-for-profit corporation.

25 (c) Utilization of lands, ~~hospital~~ facilities, and
26 personnel by the not-for-profit corporation and its
27 subsidiaries for research, education, treatment, prevention,
28 and the early detection of cancer and for mutually approved
29 teaching and research programs conducted by the University of
30 South Florida or other accredited medical schools or research
31 institutes.

1 (d) Preparation of an annual financial audit of the
2 not-for-profit corporation's accounts and records and the
3 accounts and records of any subsidiaries to be conducted by an
4 independent certified public accountant. The annual audit
5 report shall include a management letter, as defined in s.
6 11.45, and shall be submitted to the Auditor General and the
7 State Board of Education. The State Board of Education, the
8 Auditor General, and the Office of Program Policy Analysis and
9 Government Accountability shall have the authority to require
10 and receive from the not-for-profit corporation and any
11 subsidiaries or from their independent auditor any detail or
12 supplemental data relative to the operation of the
13 not-for-profit corporation or subsidiary.

14 (e) Provision by the not-for-profit corporation and
15 its subsidiaries of equal employment opportunities to all
16 persons regardless of race, color, religion, sex, age, or
17 national origin.

18 (3) The State Board of Education is authorized to
19 secure comprehensive general liability protection, including
20 professional liability protection, for the not-for-profit
21 corporation and its subsidiaries pursuant to s. 1004.24. The
22 not-for-profit corporation and its subsidiaries shall be
23 exempt from any participation in any property insurance trust
24 fund established by law, including any property insurance
25 trust fund established pursuant to chapter 284, so long as the
26 not-for-profit corporation and its subsidiaries maintain
27 property insurance protection with comparable or greater
28 coverage limits.

29 (4) In the event that the agreement between the
30 not-for-profit corporation and the State Board of Education is
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1 terminated for any reason, the State Board of Education shall
2 resume governance and operation of said facilities.

3 (5) The institute shall be administered by a chief
4 executive officer who shall serve at the pleasure of the board
5 of directors of the not-for-profit corporation and who shall
6 have the following powers and duties subject to the approval
7 of the board of directors:

8 (a) The chief executive officer shall establish
9 programs which fulfill the mission of the institute in
10 research, education, treatment, prevention, and the early
11 detection of cancer; however, the chief executive officer
12 shall not establish academic programs for which academic
13 credit is awarded and which terminate in the conference of a
14 degree without prior approval of the State Board of Education.

15 (b) The chief executive officer shall have control
16 over the budget and the dollars appropriated or donated to the
17 institute from private, local, state, and federal sources, as
18 well as technical and professional income generated or derived
19 from practice activities of the institute. However,
20 professional income generated by university faculty from
21 practice activities at the institute shall be shared between
22 the institute and the university as determined by the chief
23 executive officer and the appropriate university dean or vice
24 president.

25 (c) The chief executive officer shall appoint members
26 to carry out the research, patient care, and educational
27 activities of the institute and determine compensation,
28 benefits, and terms of service. Members of the institute shall
29 be eligible to hold concurrent appointments at affiliated
30 academic institutions. University faculty shall be eligible to
31 hold concurrent appointments at the institute.

1 (d) The chief executive officer shall have control
2 over the use and assignment of space and equipment within the
3 facilities.

4 (e) The chief executive officer shall have the power
5 to create the administrative structure necessary to carry out
6 the mission of the institute.

7 (f) The chief executive officer shall have a reporting
8 relationship to the Commissioner of Education.

9 (g) The chief executive officer shall provide a copy
10 of the institute's annual report to the Governor and Cabinet,
11 the President of the Senate, the Speaker of the House of
12 Representatives, and the chair of the State Board of
13 Education.

14 (6) The board of directors of the not-for-profit
15 corporation shall create a council of scientific advisers to
16 the chief executive officer comprised of leading researchers,
17 physicians, and scientists. This council shall review programs
18 and recommend research priorities and initiatives so as to
19 maximize the state's investment in the institute. The council
20 shall be appointed by the board of directors of the
21 not-for-profit corporation ~~and shall include five appointees~~
22 ~~of the State Board of Education~~. Each member of the council
23 shall be appointed to serve a 2-year term and may be
24 reappointed to the council.

25 (7) In carrying out the provisions of this section,
26 the not-for-profit corporation and its subsidiaries are not
27 "agencies" within the meaning of s. 20.03(11).

28 (8)(a) Records of the not-for-profit corporation and
29 of its subsidiaries are public records unless made
30 confidential or exempt by law.

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1 (b) Proprietary confidential business information is
2 confidential and exempt from the provisions of s. 119.07(1)
3 and s. 24(a), Art. I of the State Constitution. However, the
4 Auditor General, the Office of Program Policy Analysis and
5 Government Accountability, and the State Board of Education,
6 pursuant to their oversight and auditing functions, must be
7 given access to all proprietary confidential business
8 information upon request and without subpoena and must
9 maintain the confidentiality of information so received. As
10 used in this paragraph, the term "proprietary confidential
11 business information" means information, regardless of its
12 form or characteristics, which is owned or controlled by the
13 not-for-profit corporation or its subsidiaries; is intended to
14 be and is treated by the not-for-profit corporation or its
15 subsidiaries as private and the disclosure of which would harm
16 the business operations of the not-for-profit corporation or
17 its subsidiaries; has not been intentionally disclosed by the
18 corporation or its subsidiaries unless pursuant to law, an
19 order of a court or administrative body, a legislative
20 proceeding pursuant to s. 5, Art. III of the State
21 Constitution, or a private agreement that provides that the
22 information may be released to the public; and which is
23 information concerning:

24 1. Internal auditing controls and reports of internal
25 auditors;

26 2. Matters reasonably encompassed in privileged
27 attorney-client communications;

28 3. Contracts for managed-care arrangements, including
29 preferred provider organization contracts, health maintenance
30 organization contracts, and exclusive provider organization
31 contracts, and any documents directly relating to the

1 negotiation, performance, and implementation of any such
2 contracts for managed-care arrangements;
3 4. Bids or other contractual data, banking records,
4 and credit agreements the disclosure of which would impair the
5 efforts of the not-for-profit corporation or its subsidiaries
6 to contract for goods or services on favorable terms;
7 5. Information relating to private contractual data,
8 the disclosure of which would impair the competitive interest
9 of the provider of the information;
10 6. Corporate officer and employee personnel
11 information;
12 7. Information relating to the proceedings and records
13 of credentialing panels and committees and of the governing
14 board of the not-for-profit corporation or its subsidiaries
15 relating to credentialing;
16 8. Minutes of meetings of the governing board of the
17 not-for-profit corporation and its subsidiaries, except
18 minutes of meetings open to the public pursuant to subsection
19 (9);
20 9. Information that reveals plans for marketing
21 services that the corporation or its subsidiaries reasonably
22 expect to be provided by competitors;
23 10. Trade secrets as defined in s. 688.002, including
24 reimbursement methodologies or rates; or
25 11. The identity of donors or prospective donors of
26 property who wish to remain anonymous or any information
27 identifying such donors or prospective donors. The anonymity
28 of these donors or prospective donors must be maintained in
29 the auditor's report.
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1 As used in this paragraph, the term "managed care" means
2 systems or techniques generally used by third-party payors or
3 their agents to affect access to and control payment for
4 health care services. Managed-care techniques most often
5 include one or more of the following: prior, concurrent, and
6 retrospective review of the medical necessity and
7 appropriateness of services or site of services; contracts
8 with selected health care providers; financial incentives or
9 disincentives related to the use of specific providers,
10 services, or service sites; controlled access to and
11 coordination of services by a case manager; and payor efforts
12 to identify treatment alternatives and modify benefit
13 restrictions for high-cost patient care.

14 (9) Meetings of the governing board of the
15 not-for-profit corporation and meetings of the subsidiaries of
16 the not-for-profit corporation at which the expenditure of
17 dollars appropriated to the not-for-profit corporation by the
18 state are discussed or reported must remain open to the public
19 in accordance with s. 286.011 and s. 24(b), Art. I of the
20 State Constitution, unless made confidential or exempt by law.
21 Other meetings of the governing board of the not-for-profit
22 corporation and of the subsidiaries of the not-for-profit
23 corporation are exempt from s. 286.011 and s. 24(b), Art. I of
24 the State Constitution.

25 (10) In addition to the continuing appropriation to
26 the institute provided in s. 210.20(2), any appropriation to
27 the institute provided in a general appropriations act shall
28 be paid directly to the board of directors of the
29 not-for-profit corporation by warrant drawn by the Chief
30 Financial Officer from the State Treasury.

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1 Section 5. Section 1004.445, Florida Statutes, is
2 amended to read:

3 1004.445 Johnnie B. Byrd, Sr.,~~Florida~~ Alzheimer's
4 Center and Research Institute.--

5 (1) ~~Effective July 1, 2002,~~The Johnnie B. Byrd, Sr.,
6 ~~Florida~~ Alzheimer's Center and Research Institute is
7 established at the University of South Florida.

8 (2)(a) The State Board of Education shall enter into
9 an agreement for the utilization of the facilities on the
10 campus of the University of South Florida to be known as the
11 Johnnie B. Byrd, Sr.,~~Florida~~ Alzheimer's Center and Research
12 Institute, including all furnishings, equipment, and other
13 chattels used in the operation of those facilities, with a
14 Florida not-for-profit corporation organized solely for the
15 purpose of governing and operating the Johnnie B. Byrd, Sr.,
16 ~~Florida~~ Alzheimer's Center and Research Institute. This
17 not-for-profit corporation, acting as an instrumentality of
18 the state, shall govern and operate the Johnnie B. Byrd, Sr.,
19 ~~Florida~~ Alzheimer's Center and Research Institute in
20 accordance with the terms of the agreement between the State
21 Board of Education and the not-for-profit corporation. The
22 not-for-profit corporation may, with the prior approval of the
23 State Board of Education, create either for-profit or
24 not-for-profit corporate subsidiaries, or both,to fulfill its
25 mission. The not-for-profit corporation and its subsidiaries
26 are authorized to receive, hold, invest, and administer
27 property and any moneys acquired from private, local, state,
28 and federal sources, as well as technical and professional
29 income generated or derived from practice activities of the
30 institute, for the benefit of the institute and the
31 fulfillment of its mission.

1 (b)1. The affairs of the not-for-profit corporation
2 shall be managed by a board of directors who shall serve
3 without compensation. The board of directors shall consist of
4 the President of the University of South Florida and the chair
5 of the State Board of Education, or their designees, 5
6 representatives of the state universities, and no fewer than 9
7 nor more than 14 representatives of the public who are neither
8 medical doctors nor state employees. Each director who is a
9 representative of a state university or of the public shall be
10 appointed to serve a term of 3 years. The chair of the board
11 of directors shall be selected by a majority vote of the
12 directors. Each director shall have only one vote.

13 2. The initial board of directors shall consist of the
14 President of the University of South Florida and the chair of
15 the State Board of Education, or their designees; the five
16 university representatives, of whom one shall be appointed by
17 the Governor, two by the President of the Senate, and two by
18 the Speaker of the House of Representatives; and nine public
19 representatives, of whom three shall be appointed by the
20 Governor, three by the President of the Senate, and three by
21 the Speaker of the House of Representatives. Upon the
22 expiration of the terms of the initial appointed directors,
23 all directors subject to 3-year terms of office under this
24 paragraph shall be appointed by a majority vote of the
25 directors and the board may be expanded to include additional
26 public representative directors up to the maximum number
27 allowed. Any vacancy in office shall be filled for the
28 remainder of the term by majority vote of the directors. Any
29 director may be reappointed.

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1 (3) The State Board of Education shall provide in the
2 agreement with the not-for-profit corporation for the
3 following:

4 (a) Approval by the State Board of Education of the
5 articles of incorporation of the not-for-profit corporation.

6 (b) Approval by the State Board of Education of the
7 articles of incorporation of any not-for-profit corporate
8 subsidiary created by the not-for-profit corporation.

9 (c) Utilization of lands, hospital facilities, and
10 personnel by the not-for-profit corporation and its
11 subsidiaries for research, education, treatment, prevention,
12 and the early detection of Alzheimer's disease and for
13 mutually approved teaching and research programs conducted by
14 the University of South Florida or other accredited medical
15 schools or research institutes.

16 (d) Preparation of an annual postaudit of the
17 not-for-profit corporation's financial accounts and the
18 financial accounts of any subsidiaries to be conducted by an
19 independent certified public accountant. The annual audit
20 report shall include management letters and shall be submitted
21 to the Auditor General and the State Board of Education for
22 review. The State Board of Education, the Auditor General, and
23 the Office of Program Policy Analysis and Government
24 Accountability shall have the authority to require and receive
25 from the not-for-profit corporation and any subsidiaries, or
26 from their independent auditor, any detail or supplemental
27 data relative to the operation of the not-for-profit
28 corporation or subsidiary.

29 (e) Provision by the not-for-profit corporation and
30 its subsidiaries of equal employment opportunities for all
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1 persons regardless of race, color, religion, gender, age, or
2 national origin.

3 (4) The State Board of Education is authorized to
4 secure comprehensive general liability protection, including
5 professional liability protection, for the not-for-profit
6 corporation and its subsidiaries, pursuant to s. 1004.24. The
7 not-for-profit corporation and its subsidiaries shall be
8 exempt from any participation in any property insurance trust
9 fund established by law, including any property insurance
10 trust fund established pursuant to chapter 284, so long as the
11 not-for-profit corporation and its subsidiaries maintain
12 property insurance protection with comparable or greater
13 coverage limits.

14 (5) In the event that the agreement between the
15 not-for-profit corporation and the State Board of Education is
16 terminated for any reason, the State Board of Education shall
17 assume governance and operation of the facilities.

18 (6) The institute shall be administered by a chief
19 executive officer, who shall be appointed by and serve at the
20 pleasure of the board of directors of the not-for-profit
21 corporation, and who shall exercise the following powers and
22 duties, subject to the approval of the board of directors:

23 (a) The chief executive officer shall establish
24 programs that fulfill the mission of the institute in
25 research, education, treatment, prevention, and early
26 detection of Alzheimer's disease; however, the chief executive
27 officer may not establish academic programs for which academic
28 credit is awarded and which culminate in the conferring of a
29 degree, without prior approval of the State Board of
30 Education.

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1 (b) The chief executive officer shall have control
2 over the budget and the moneys appropriated or donated to the
3 institute from private, local, state, and federal sources, as
4 well as technical and professional income generated or derived
5 from practice activities of the institute. However,
6 professional income generated by university faculty from
7 practice activities at the institute shall be shared between
8 the institute and the university as determined by the chief
9 executive officer and the appropriate university dean or vice
10 president.

11 (c) The chief executive officer shall appoint
12 representatives of the institute to carry out the research,
13 patient care, and educational activities of the institute and
14 establish the compensation, benefits, and terms of service of
15 such representatives. Representatives of the institute shall
16 be eligible to hold concurrent appointments at affiliated
17 academic institutions. University faculty shall be eligible to
18 hold concurrent appointments at the institute.

19 (d) The chief executive officer shall have control
20 over the use and assignment of space and equipment within the
21 facilities.

22 (e) The chief executive officer shall have the power
23 to create the administrative structure necessary to carry out
24 the mission of the institute.

25 (f) The chief executive officer shall have a reporting
26 relationship to the Commissioner of Education.

27 (g) The chief executive officer shall provide a copy
28 of the institute's annual report to the Governor and Cabinet,
29 the President of the Senate, the Speaker of the House of
30 Representatives, and the chair of the State Board of
31 Education.

1 (7) The board of directors of the not-for-profit
2 corporation shall create a council of scientific advisers to
3 the chief executive officer comprised of leading researchers,
4 physicians, and scientists. The council shall review programs
5 and recommend research priorities and initiatives to maximize
6 the state's investment in the institute. The members of the
7 council shall be appointed by the board of directors of the
8 not-for-profit corporation, ~~except for five members who shall~~
9 ~~be appointed by the State Board of Education.~~ Each member of
10 the council shall be appointed to serve a 2-year term and may
11 be reappointed to the council.

12 (8) In carrying out the provisions of this section,
13 the not-for-profit corporation and its subsidiaries are not
14 agencies within the meaning of s. 20.03(11).

15 (9) The following information is confidential and
16 exempt from the provisions of s. 119.07(1) and s. 24, Art. I
17 of the State Constitution:

18 (a) Personal identifying information relating to
19 clients of programs created or funded through the Johnnie B.
20 Byrd, Sr., Florida Alzheimer's Center and Research Institute
21 which is held by the institute, University of South Florida,
22 or State Board of Education or by persons who provide services
23 to clients of programs created or funded through contracts
24 with the Johnnie B. Byrd, Sr., Florida Alzheimer's Center and
25 Research Institute;

26 (b) Any medical or health records relating to patients
27 which may be created or received by the institute;

28 (c) Materials that relate to methods of manufacture or
29 production, potential trade secrets, potentially patentable
30 material, actual trade secrets as defined in s. 688.002, or
31 proprietary information received, generated, ascertained, or

1 discovered during the course of research conducted by or
2 through the institute and business transactions resulting from
3 such research;

4 (d) The identity of a donor or prospective donor to
5 the Johnnie B. Byrd, Sr., Florida Alzheimer's Center and
6 Research Institute who wishes to remain anonymous, and all
7 information identifying such donor or prospective donor;

8 (e) Any information received by the institute in the
9 performance of its duties and responsibilities which is
10 otherwise confidential and exempt by law; and

11 (f) Any information received by the institute from a
12 person from another state or nation or the Federal Government
13 which is otherwise confidential or exempt pursuant to that
14 state's or nation's laws or pursuant to federal law.

15
16 Any governmental entity that demonstrates a need to access
17 such confidential and exempt information in order to perform
18 its duties and responsibilities shall have access to such
19 information and shall otherwise keep such information
20 confidential and exempt. This section is subject to the Open
21 Government Sunset Review Act of 1995 in accordance with s.
22 119.15 and shall stand repealed on October 2, 2006, unless
23 reviewed and saved from repeal through reenactment by the
24 Legislature.

25 (10) Any appropriation to the institute provided in a
26 general appropriations act shall be paid directly to the board
27 of directors of the not-for-profit corporation by warrant
28 drawn by the Chief Financial Officer from the State Treasury.

29 Section 6. Florida Center for Universal Research to
30 Eradicate Disease.--

31

1 (1) The Legislature finds that an estimated 128
2 million Americans suffer from acute, chronic, and degenerative
3 diseases and that biomedical research is the key to finding
4 cures for these diseases that negatively affect all
5 Floridians. The Legislature further finds that, while there is
6 much research being conducted throughout this state and
7 throughout the world, there is a lack of coordination of
8 efforts among researchers. The Legislature, therefore, finds
9 that there is a significant need for a coordinated effort if
10 the goal of curing disease is to be achieved. Moreover, the
11 Legislature finds that the biomedical technology sector meets
12 the criteria of a high-impact sector, pursuant to section
13 288.108, Florida Statutes, having a high importance to this
14 state's economy with a significant potential for growth and
15 contribution to our universities and quality of life.

16 (2) It is the intent of the Legislature that Florida
17 strive to become the nation's leader in biomedical research
18 and commit itself to being the state to find cures for the
19 most deadly and widespread diseases. It is further the intent
20 of the Legislature that there be a coordinated effort among
21 the state's public and private universities and the biomedical
22 industry to discover such cures. Moreover, it is the intent of
23 the Legislature to expand the state economy by attracting
24 biomedical researchers and research companies to this state.

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

28 (a) The purpose of the center is to coordinate,
29 improve, expand, and monitor all biomedical research programs
30 within the state, facilitate funding opportunities, and foster
31

1 improved technology transfer of research findings into
2 clinical trials and widespread public use.

3 (b) The goal of the center is to find cures for
4 diseases such as cancer, heart disease, lung disease,
5 diabetes, autoimmune disorders, and neurological disorders,
6 including Alzheimer's disease, epilepsy, and Parkinson's
7 disease.

8 (c) The center shall hold an annual biomedical
9 technology summit in Florida to which biomedical researchers,
10 biomedical technology companies, business incubators,
11 pharmaceutical manufacturers, and others around the nation and
12 world are invited to share biomedical research findings in
13 order to expedite the discovery of cures. Summit attendees
14 shall cover the costs of such attendance or obtain sponsorship
15 for such attendance.

16 (d) The center shall encourage clinical trials in this
17 state on research that holds promise of curing a disease or
18 condition. The center shall facilitate partnerships between
19 researchers, treating physicians, and community hospitals for
20 the purpose of sharing new techniques and new research
21 findings, as well as coordinating voluntary donations to
22 ensure an adequate supply of adult stem cells, placentas, or
23 cord blood.

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

28 (f) The center shall encourage agricultural colleges
29 and agricultural businesses in this state to be active in the
30 search for cures and in providing information to the public
31 about disease prevention.

1 (g) The center shall facilitate partnerships among
2 researchers working to cure all types of diseases, including
3 those that are prevalent in developed countries and those that
4 occur mainly in developing countries.

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

7 (i) The center shall monitor the supply and demand
8 needs of researchers relating to stem cell research and other
9 types of human tissue research. If the center determines that
10 there is a need for increased donation of human tissue, it
11 shall notify hospitals licensed pursuant to chapter 395,
12 Florida Statutes, which have entered into partnership
13 agreements with research institutes conducting stem cell
14 research located in the same geographic region as the
15 researchers demanding the stem cells or other tissues. Such
16 hospitals shall implement programs that encourage voluntary
17 donations of cord blood or other needed adult tissue.

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

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

24 (l) The center shall maintain a website with links to
25 peer-reviewed biomedical research. The website shall also
26 contain a list of all known biomedical research being
27 conducted in Florida and shall facilitate communication among
28 researchers and other interested parties.

29 (m) The center shall submit an annual report to the
30 Governor, the President of the Senate, and the Speaker of the
31 House of Representatives no later than January 15 which

1 contains recommendations for legislative change necessary to
2 foster a positive climate for biomedical research in this
3 state.

4 (4) The Department of Health may outsource the duties
5 of the center to a private entity or state university.

6 (5) There is established within the center an advisory
7 council that shall meet at least annually.

8 (a) The council shall consist of the members of the
9 board of directors of the Florida Research Consortium and at
10 least one representative from:

11 1. The Emerging Technology Commission.

12 2. Enterprise Florida, Inc.

13 3. BioFlorida.

14 4. The Biomedical Research Advisory Council.

15 5. The Florida Medical Foundation.

16 6. Pharmaceutical Research and Manufacturers of
17 America.

18 7. The Florida Tri-Agency Coalition on Smoking OR
19 Health.

20 8. The Florida Cancer Research Council.

21 9. The American Cancer Society, Florida Division, Inc.

22 10. The American Heart Association.

23 11. The American Lung Association of Florida.

24 12. The American Diabetes Association, South Coastal
25 Region.

26 13. The Alzheimer's Association.

27 14. The Epilepsy Foundation.

28 15. The National Parkinson Foundation.

29 16. The Florida Public Health Foundation, Inc.

30 17. Scripps Florida or the entity formed in this state
31 by The Scripps Research Institute.

1 (b) Members of the council shall serve without
2 compensation and each organization represented shall cover all
3 expenses of its representative.

4 Section 7. Paragraph (d) of subsection (1) of section
5 215.5601, Florida Statutes, is amended to read:

6 215.5601 Lawton Chiles Endowment Fund.--

7 (1) LEGISLATIVE INTENT.--It is the intent of the
8 Legislature to:

9 (d) Provide funds to help support public-health and
10 biomedical research for the prevention, diagnosis, ~~and~~
11 treatment, and cure of diseases related to tobacco use by
12 creating an annual and perpetual source of funding for
13 biomedical research in the state in order to expand the
14 foundation of biomedical knowledge relating to the prevention,
15 diagnosis, ~~and~~ treatment, and cure of diseases related to
16 tobacco use, including cancer, cardiovascular disease, stroke,
17 and pulmonary disease; improve the quality of the state's
18 academic health centers by bringing the advances of biomedical
19 research into the training of physicians and other health care
20 providers; and increase the state's per capita funding for
21 biomedical research by undertaking new initiatives in
22 biomedical research which will attract additional funding from
23 outside the state while also stimulating economic activity in
24 the state in areas related to biomedical research, such as the
25 research and production of pharmaceuticals, biotechnology, and
26 medical devices.

27 Section 8. Paragraphs (a) and (b) of subsection (1)
28 and subsections (2) and (10) of section 215.5602, Florida
29 Statutes, are amended to read:

30 215.5602 James and Esther King Biomedical Research
31 Program.--

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

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

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

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

27 (10) The council shall submit an annual progress
28 report on the state of biomedical research in this state to
29 the Florida Center for Universal Research to Eradicate Disease
30 and to the Governor, the Secretary of Health, the President of
31

1 the Senate, and the Speaker of the House of Representatives by
2 February 1. The report must include:

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

5 (b) A list of recipients of program grants or
6 fellowships.

7 (c) A list of publications in peer reviewed journals
8 involving research supported by grants or fellowships awarded
9 under the program.

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

12 (e) New grants for biomedical research which were
13 funded based on research supported by grants or fellowships
14 awarded under the program.

15 (f) Progress in the prevention, diagnosis, ~~and~~
16 treatment, and cure of diseases related to tobacco use,
17 including cancer, cardiovascular disease, stroke, and
18 pulmonary disease.

19 Section 9. (1) The Life Sciences Building at Florida
20 State University in Tallahassee is designated as the "James E.
21 'Jim' King, Jr., Building."

22 (2) Florida State University is authorized to erect
23 markers for the designation of the James E. "Jim" King, Jr.,
24 Building as described in subsection (1).

25 Section 10. Florida Cancer Research Council.--

26 (1) Effective July 1, 2004, the Florida Cancer
27 Research Council within the Department of Health is
28 established for the purpose of making the state a center of
29 excellence for cancer research.

30 (2)(a) The council shall be representative of the
31 state's cancer centers, hospitals, and patient groups, and

1 shall be organized for the purpose of governing the affairs of
2 the council.

3 (b) The Florida Cancer Research Council may create
4 not-for-profit corporate subsidiaries to fulfill its mission.
5 The council and its subsidiaries are authorized to receive,
6 hold, invest, and administer property and any moneys acquired
7 from 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 council.

10 (c) The affairs of the council shall consist of:

11 1. Chairman of the Florida Dialogue on Cancer, who
12 shall serve as the chairman of the council;

13 2. Secretary of the Department of Health or his or her
14 designee;

15 3. Chief Executive Officer of the H. Lee Moffitt
16 Cancer Center or his or her designee;

17 4. President of the University of Florida Shands
18 Cancer Center or his or her designee;

19 5. Chief Executive Officer of the University of Miami
20 Sylvester Comprehensive Cancer Center or his or her designee;

21 6. Chief Executive Officer of the Mayo Clinic,
22 Jacksonville or his or her designee;

23 7. Chief Executive Officer of the American Cancer
24 Society, Florida Division or his or her designee;

25 8. President of the American Cancer Society, Florida
26 Division Board of Directors or his or her designee;

27 9. President of the Florida Society of Clinical
28 Oncology or his or her designee;

29 10. President of the American College of Surgeons,
30 Florida Chapter, or his or her designee;

31

1 11. Chief Executive Officer of Enterprise Florida,
2 Inc., or his or her designee;

3 12. Five representatives from cancer programs approved
4 by the American College of Surgeons. Three shall be appointed
5 by the Governor, one shall be appointed by the Speaker of the
6 House of Representatives, and one shall be appointed by the
7 President of the Senate;

8 13. One member of the House of Representatives, to be
9 appointed by the Speaker of the House of Representatives; and

10 14. One member of the Senate, to be appointed by the
11 President of the Senate.

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

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

19 (f) Members of the council or any subsidiaries shall
20 serve without compensation, and each organization represented
21 on the council shall cover the expenses of its
22 representatives.

23 (3) The council shall issue an annual report to the
24 Center for Universal Research to Eradicate Disease, the
25 Governor, the Speaker of the House of Representatives, and the
26 President of the Senate by December 15 of each year, with
27 policy and funding recommendations regarding cancer research
28 capacity in Florida and related issues.

29 Section 11. Florida Cancer Research Council, mission
30 and duties.--The council, which shall work in concert with the
31 Florida Center for Universal Research to Eradicate Disease to

1 ensure that the goals of the center are advanced, shall
2 endeavor to dramatically improve cancer research and treatment
3 in this state through:

4 (1) Efforts to significantly expand cancer research
5 capacity in the state by:

6 (a) Identifying ways to attract new research talent
7 and attendant national grant producing researchers to
8 Florida-based cancer research facilities;

9 (b) Implementing a peer-reviewed, competitive process
10 to identify and fund the best proposals to expand cancer
11 research institutes in this state;

12 (c) Funding through available resources for those
13 proposals that demonstrate the greatest opportunity to attract
14 federal research grants and private financial support;

15 (d) Encouraging the employment of bioinformatics in
16 order to create a cancer informatics infrastructure that
17 enhances information and resource exchange and integration
18 through researchers working in diverse disciplines, to
19 facilitate the full spectrum of cancer investigations;

20 (e) Facilitating the technical coordination, business
21 development, and support of intellectual property as it
22 relates to the advancement of cancer research; and

23 (f) Aiding in other multidisciplinary research-support
24 activities as they inure to the advancement of cancer
25 research.

26 (2) Efforts to improve both research and treatment
27 through greater participation in clinical trials networks by:

28 (a) Identifying ways to increase adult enrollment in
29 cancer clinical trials;

30
31

1 (b) Supporting public and private professional
2 education programs designed to increase the awareness and
3 knowledge about cancer clinical trials;

4 (c) Providing tools to cancer patients and
5 community-based oncologists to aid in the identification of
6 cancer clinical trials available in the state; and

7 (d) Creating opportunities for the state's academic
8 cancer centers to collaborate with community-based oncologists
9 in cancer clinical trials networks.

10 (3) Efforts to reduce the impact of cancer on
11 disparate groups by:

12 (a) Identifying those cancers that disproportionately
13 impact certain demographic groups; and

14 (b) Building collaborations designed to reduce health
15 disparities as they relate to cancer.

16 Section 12. The Florida Public Health Foundation,
17 Inc.; establishment; purpose; mission; duties; board of
18 directors.--

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

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

30 (3) The purpose and objective of the corporation shall
31 be to operate exclusively for charitable, scientific, and

1 educational purposes; to protect and improve the health and
2 well-being of Florida's people and environment through
3 partnerships committed to program innovation, education,
4 applied research, and policy development; and to engage in
5 charitable programs dedicated to improving the health of
6 Floridians.

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

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

23 (6) The affairs of the corporation shall be managed by
24 an executive director appointed by a board of directors
25 consisting of:

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

27 (b) A former member of the Senate appointed by the
28 President of the Senate.

29 (c) A former member of the House of Representatives
30 appointed by the Speaker of the House of Representatives.

31

- 1 (d) A representative of the American Heart
2 Association.
- 3 (e) A representative of the American Cancer Society,
4 Florida Division, Inc.
- 5 (f) A representative of the American Lung Association
6 of Florida.
- 7 (g) A representative of the American Diabetes
8 Association, South Coastal Region.
- 9 (h) A representative of the Alzheimer's Association.
- 10 (i) A representative of the Epilepsy Foundation.
- 11 (j) A representative of the National Parkinson
12 Foundation.
- 13 (k) A representative of the March of Dimes, Florida
14 Chapter.
- 15 (l) A representative of the Arthritis Foundation,
16 Florida Chapter.
- 17 (m) A representative of the American Liver Foundation.
- 18 (n) A representative of the Florida Council for
19 Behavioral Healthcare, Inc.
- 20 (o) A representative of the Florida Alcohol and Drug
21 Abuse Association.
- 22 (p) A representative of Pharmaceutical Research and
23 Manufacturers of America.
- 24 (q) A representative of the Florida Public Health
25 Association.
- 26 (r) A representative of the Florida Association of
27 County Health Officers.
- 28 (s) A public health academician selected by the State
29 Health Officer.
- 30 (t) A representative of the Florida Academy of Family
31 Physicians.

1 (u) Three consumers who have demonstrated an interest
2 in protecting the public health appointed by the Florida
3 Public Health Association.

4 (7) Members of the board of directors shall serve for
5 2-year terms and shall serve without compensation. Each
6 organization represented on the board of directors shall cover
7 the expenses of its representative.

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

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

22 (10) The corporation shall provide an annual report
23 concerning its activities and finances to the Florida Center
24 for Universal Research to Eradicate Disease and shall provide
25 copies of the annual report to the Governor, the President of
26 the Senate, and the Speaker of the House of Representatives.

27 Section 13. Health awareness campaigns.--

28 (1) The Florida Public Health Foundation, Inc., in
29 consultation with the Department of Health, shall coordinate
30 monthly health awareness campaigns with national, state, and
31 local health care organizations and government entities

1 targeting a wide range of the public, including: parents;
2 teachers and other school employees; students in 4th through
3 12th grades, colleges, and universities; state agency
4 employees; county and local government employees; patients of
5 county health departments; Medicaid recipients; health care
6 professionals and providers; and the public in general.

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

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

18 (b) Heart disease.

19 (c) Stroke.

20 (d) Lung disease, including asthma and
21 smoking-relating disease.

22 (e) Neurological disorders and disease, including
23 Alzheimer's disease, Parkinson's disease, and epilepsy.

24 (f) Gastrointestinal disease.

25 (g) Kidney disease.

26 (h) Diabetes.

27 (i) Liver disease.

28 (j) Autoimmune disorders.

29 (k) Birth defects and prenatal care.

30 (l) Obesity and malnutrition.

31 (m) Sexually transmissible disease.

- 1 (n) Hepatitis A, hepatitis B, and hepatitis C.
2 (o) Arthritis.
3 (p) Vaccine-preventable diseases.
4 (q) Infectious diseases, including HIV/AIDS.
5 (r) Substance abuse.
6 (s) Mental illness.
7 (t) Lupus.
8 (u) Osteoporosis.
9 (3) The health awareness campaigns shall be funded by
10 the Florida Public Health Foundation, Inc., and the Department
11 of Health to the extent that funds are available from public
12 and private sources.
13 (4) Health awareness information shall be disseminated
14 through all available methods, including print, audio, visual,
15 and electronic media.
16 Section 14. Prostate Cancer Awareness Program.--
17 (1) To the extent that funds are specifically made
18 available for this purpose, the Prostate Cancer Awareness
19 Program is established within the Department of Health. The
20 purpose of this program is to implement the recommendations of
21 January 2000 of the Florida Prostate Cancer Task Force to
22 provide for statewide outreach and health education activities
23 to ensure that men are aware of and appropriately seek medical
24 counseling for prostate cancer as an early-detection health
25 care measure.
26 (2) For purposes of implementing the program, the
27 Department of Health and the Florida Public Health Foundation,
28 Inc., may:
29 (a) Conduct activities directly or enter into a
30 contract with a qualified nonprofit community education
31 entity.

1 (b) Seek any available gifts, grants, or funds from
2 the state, the Federal Government, philanthropic foundations,
3 and industry or business groups.

4 (3) A prostate cancer advisory committee is created to
5 advise and assist the Department of Health and the Florida
6 Public Health Foundation, Inc., in implementing the program.

7 (a) The Secretary of Health shall appoint the advisory
8 committee members, who shall consist of:

9 1. Three persons from prostate cancer survivor groups
10 or cancer-related advocacy groups.

11 2. Three persons who are scientists or clinicians from
12 public universities or research organizations.

13 3. Three persons who are engaged in the practice of a
14 cancer-related medical specialty from health organizations
15 committed to cancer research and control.

16 (b) Members shall serve without compensation but are
17 entitled to reimbursement, pursuant to section 112.061,
18 Florida Statutes, for per diem and travel expenses incurred in
19 the performance of their official duties.

20 (4) The program shall coordinate its efforts with
21 those of the Florida Public Health Foundation, Inc.

22 Section 15. Cervical Cancer Elimination Task Force.--

23 (1) Effective July 1, 2004, the Cervical Cancer
24 Elimination Task Force is established for the purpose of
25 recommending strategies and actions to reduce the costs and
26 burdens of cervical cancer in Florida. The task force shall
27 present interim reports to the Florida Public Health
28 Foundation, Inc., the Florida Cancer Research Council, the
29 Center for Universal Research to Eradicate Disease, the
30 Governor, the President of the Senate, and the Speaker of the
31 House of Representatives on January 1, 2006, and July 1, 2007,

1 with a final report due on June 30, 2008. After submitting its
2 final report on or before June 30, 2008, the task force is
3 dissolved.

4 (2) The task force shall:

5 (a) Review statistical and qualitative data on the
6 prevalence and burden of cervical cancer.

7 (b) Receive and consider reports and testimony from
8 individuals, county health departments, community-based
9 organizations, and other public and private organizations
10 statewide to learn more about their contributions to cervical
11 cancer diagnosis, prevention, and treatment, as well as their
12 ideas for improving the care of cervical cancer patients in
13 this state.

14 (c) Identify priority strategies and new technologies,
15 including newly introduced vaccines, which are effective in
16 preventing and controlling the risk of cervical cancer.

17 (d) Provide recommendations to the Florida Public
18 Health Foundation, Inc., on public awareness issues relating
19 to cervical cancer, such as the causes, personal risk factors,
20 value of prevention, available vaccines, early detection
21 options, treatment costs, new technology, and education for
22 health care practitioners.

23 (e) Identify and examine existing programs, services,
24 laws, and rules regarding the availability and coverage of
25 treatment services for cervical cancer.

26 (f) Develop and revise a comprehensive Florida
27 Cervical Cancer Prevention Plan and present those
28 recommendations to the Department of Health and the Florida
29 Cancer Control and Research Advisory Council for incorporation
30 into the Florida Cancer Plan.

31 (3) The task force shall consist of:

1 (a) The director of the Department of Health's
2 Division of Disease Control or another person with expertise
3 in epidemiology who shall serve as chair, appointed by the
4 Secretary of Health.

5 (b) A board-certified gynecologist licensed as a
6 physician under chapter 458 or chapter 459, Florida Statutes,
7 representing the Florida Obstetric and Gynecologic Society,
8 appointed by the Governor.

9 (c) A family physician licensed under chapter 458 or
10 chapter 459, Florida Statutes, who provides gynecology
11 services representing the Florida Academy of Family
12 Physicians, appointed by the Governor.

13 (d) An oncologist licensed as a physician under
14 chapter 458 or chapter 459, Florida Statutes, representing the
15 Florida Division of the American Cancer Society, appointed by
16 the President of the Senate.

17 (e) An advanced registered nurse practitioner who
18 practices gynecology representing the Florida Nurses
19 Association, appointed by the Speaker of the House of
20 Representatives.

21 (f) A member of the Legislative Women's Caucus,
22 appointed by the President of the Senate.

23 (g) A member of the Legislative Women's Caucus,
24 appointed by the Speaker of the House of Representatives.

25 (h) The chief executive officer of the H. Lee Moffitt
26 Cancer Center and Research Institute or his or her designee.

27 (i) The director of the University of Florida Shands
28 Cancer Center or his or her designee.

29 (j) The director of the University of Miami Sylvester
30 Comprehensive Cancer Center or his or her designee.

31

1 (k) The chief executive officer of the Mayo Clinic,
2 Jacksonville, or his or her designee.

3 (4) Members of the task force shall be appointed to
4 4-year terms without compensation, and each organization
5 represented shall cover the expenses of its representative.

6 Section 16. Except as otherwise expressly provided in
7 this act, this act shall take effect upon becoming a law.

8
9 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
10 COMMITTEE SUBSTITUTE FOR
11 Senate Bill 2002

12 Provides for annual distributions from the proceeds of the
13 excise tax on alcoholic beverages to support the Johnnie B.
14 Byrd, Sr. Alzheimer's Center and Research Institute, the James
15 and Esther King Biomedical Research Program, and the Florida
16 State University School of Chiropractic Medicine; and provides
17 annual appropriations to the Department of Elderly Affairs and
18 the Department of Health for the specified programs.

16 Renames the Florida Cancer Research Cooperative, Inc. the
17 Florida Cancer Research Council; removes reference to the
18 council's affairs being managed by a board of directors;
19 revises the membership of the council; and expands the mission
20 and duties of the council.