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1 A bill to be entitled

2 An act relating to health care delivery and research;
3 creating the Florida Center for Universal Research to
4 Eradicate Disease within the Department of Health;
5 providing legislative findings and intent; specifying the
6 purpose and duties of the center; requiring an annual
7 report to the Governor and Legislature; authorizing the
8 department to outsource the duties of the center; creating
9 an advisory council; amending s. 215.5602, F.S.; expanding
10 the long-term goals of the James and Esther King
11 Biomedical Research Program to include the cure of
12 specified diseases; amending s. 215.5601, F.S., relating
13 to the Lawton Chiles Endowment Fund, to conform; creating
14 the Florida Cancer Research Cooperative; providing for a
15 board of directors; providing the cooperative's mission
16 and duties; requiring an annual report to the Florida
17 Center for Universal Research to Eradicate Disease, the
18 Governor, and the Legislature; creating the Florida Public
19 Health Foundation, Inc.; providing the foundation's
20 mission and duties; providing for a board of directors;
21 requiring an annual report to the Florida Center for
22 Universal Research to Eradicate Disease, the Governor, and
23 the Legislature; requiring the foundation to coordinate
24 monthly health awareness campaigns to disseminate
25 information about specified diseases and conditions;
26 providing an effective date.
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28 WHEREAS, stimulating activity in strategic sectors of the
 29 state's economy produces immeasurable and varied benefits for
 30 the people of this state, and

31 WHEREAS, the health sector in particular, including areas
 32 such as biotechnology, medical technology, life sciences, and
 33 health care education, research, development, and delivery,
 34 represents an economic sector with tremendous potential to
 35 produce employment, financial, wellness, educational, cost-
 36 saving, and other benefits for the people of this state, and

37 WHEREAS, stimulating activity in the health sector of the
 38 economy requires a comprehensive and synergistic policy approach
 39 that addresses coordinating biomedical and related research
 40 programs and opportunities; promoting the development of cures
 41 for diseases; facilitating advanced, world-class research in
 42 targeted fields of medical science; disseminating information on
 43 and increasing awareness of research innovations; and expanding
 44 educational opportunities in health and science fields, and

45 WHEREAS, it serves a public purpose and furthers an
 46 essential government service to protect the health, safety, and
 47 welfare of Floridians, NOW, THEREFORE,

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

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51 Section 1. Florida Center for Universal Research to
 52 Eradicate Disease.--

53 (1) The Legislature finds that an estimated 128 million
 54 Americans suffer from acute, chronic, and degenerative diseases
 55 and that biomedical research is the key to finding cures for
 56 these diseases that negatively affect all Floridians. The

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57 Legislature further finds that, while there is much research
58 being conducted throughout this state and throughout the world,
59 there is a lack of coordination of efforts among researchers.
60 The Legislature, therefore, finds that there is a significant
61 need for a coordinated effort if the goal of curing disease is
62 to be achieved. Moreover, the Legislature finds that the
63 biomedical technology sector meets the criteria of a high-impact
64 sector, pursuant to section 288.108, Florida Statutes, having a
65 high importance to this state's economy with a significant
66 potential for growth and contribution to our universities and
67 quality of life.

68 (2) It is the intent of the Legislature that Florida
69 strive to become the nation's leader in biomedical research and
70 commit itself to being the state to find cures for the most
71 deadly and widespread diseases. It is further the intent of the
72 Legislature that there be a coordinated effort among the state's
73 public and private universities and the biomedical industry to
74 discover such cures. Moreover, it is the intent of the
75 Legislature to expand the state economy by attracting biomedical
76 researchers and research companies to this state.

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

80 (b) The purpose of the center is to coordinate, improve,
81 expand, and monitor all biomedical research programs within the
82 state, facilitate funding opportunities, and foster improved
83 technology transfer of research findings into clinical trials
84 and widespread public use.

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85 (c) The goal of the center is to find cures for diseases
86 such as cancer, heart disease, lung disease, diabetes,
87 autoimmune disorders, and neurological disorders, including
88 Alzheimer's disease, epilepsy, and Parkinson's disease.

89 (d) The center shall hold an annual biomedical technology
90 summit in Florida to which biomedical researchers, biomedical
91 technology companies, business incubators, pharmaceutical
92 manufacturers, and others around the nation and world are
93 invited to share biomedical research findings in order to
94 expedite the discovery of cures. Summit attendees shall cover
95 the costs of such attendance or obtain sponsorship for such
96 attendance.

97 (e) The center shall encourage clinical trials in this
98 state on research that holds promise of curing a disease or
99 condition. The center shall facilitate partnerships among
100 researchers, treating physicians, and community hospitals for
101 the purpose of sharing new techniques and new research findings,
102 as well as coordinating voluntary donations to ensure an
103 adequate supply of adult stem cells, placentas, or cord blood.

104 (f) The center shall facilitate the formation of
105 partnerships between researchers in this state and institutions
106 in other states and countries where research with rare plants or
107 animals could lead to cures.

108 (g) The center shall encourage agricultural colleges and
109 agricultural businesses in this state to be active in the search
110 for cures and in providing information to the public about
111 disease prevention.

112 (h) The center shall facilitate partnerships among
113 researchers working to cure all types of diseases, including

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114 those that are prevalent in developed countries and those that
115 occur mainly in developing countries.

116 (i) The center shall also encourage the discovery and
117 production in Florida of vaccines that prevent disease.

118 (j) The center shall monitor the supply and demand needs
119 of researchers relating to stem cell research and other types of
120 human tissue research. If the center determines that there is a
121 need for increased donation of human tissue, it shall notify
122 hospitals licensed pursuant to chapter 395, Florida Statutes,
123 which have entered into partnership agreements with research
124 institutes conducting stem cell research located in the same
125 geographic region as the researchers demanding the stem cells or
126 other tissues. Such hospitals shall implement programs that
127 encourage voluntary donations of cord blood or other needed
128 adult tissue.

129 (k) The center shall be funded through private, state, and
130 federal sources.

131 (l) The center shall serve as a registry of all known
132 opportunities for biomedical grants and may assist any public or
133 private biomedical research program in this state in preparing
134 grant requests.

135 (m) The center shall maintain an Internet website with
136 links to peer-reviewed biomedical research. The website shall
137 also contain a list of all known biomedical research being
138 conducted in Florida and shall facilitate communication among
139 researchers and other interested parties.

140 (n) The center shall submit an annual report to the
141 Governor, the President of the Senate, and the Speaker of the
142 House of Representatives no later than January 15 which contains

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143 recommendations for legislative change necessary to foster a
 144 positive climate for biomedical research in this state.

145 (o) The Department of Health may outsource the duties of
 146 the center to a private entity or state university.

147 (4)(a) There is established within the center an advisory
 148 council, which shall meet at least annually.

149 (b) The council shall consist of the members of the board
 150 of directors of the Florida Research Consortium and at least one
 151 representative from:

- 152 1. The Emerging Technology Commission.
- 153 2. Enterprise Florida, Inc.
- 154 3. BioFlorida.
- 155 4. The Florida Biomedical Research Advisory Council.
- 156 5. The Florida Medical Foundation.
- 157 6. Pharmaceutical Research and Manufacturers of America.
- 158 7. The Florida Tri-Agency Coalition on Smoking and Health.
- 159 8. The Florida Cancer Research Cooperative, Inc.
- 160 9. The American Cancer Society, Florida Division, Inc.
- 161 10. The American Heart Association.
- 162 11. The American Lung Association of Florida.
- 163 12. The American Diabetes Association, South Coastal
 164 Region.
- 165 13. The Alzheimer's Association.
- 166 14. The Epilepsy Foundation.
- 167 15. The National Parkinson Foundation.
- 168 16. The Florida Public Health Foundation, Inc.
- 169 17. Scripps Florida or the entity formed in this state by
 170 The Scripps Research Institute.

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171 (c) Members of the council shall serve without
 172 compensation, and each organization represented shall cover all
 173 expenses of its representative.

174 Section 2. Paragraphs (a) and (b) of subsection (1) and
 175 subsections (2) and (10) of section 215.5602, Florida Statutes,
 176 are amended to read:

177 215.5602 James and Esther King Biomedical Research
 178 Program.--

179 (1) There is established within the Department of Health
 180 the James and Esther King Biomedical Research Program funded by
 181 the proceeds of the Lawton Chiles Endowment Fund pursuant to s.
 182 215.5601. The purpose of the James and Esther King Biomedical
 183 Research Program is to provide an annual and perpetual source of
 184 funding in order to support research initiatives that address
 185 the health care problems of Floridians in the areas of tobacco-
 186 related cancer, cardiovascular disease, stroke, and pulmonary
 187 disease. The long-term goals of the program are to:

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

191 (b) Expand the foundation of biomedical knowledge relating
 192 to the prevention, diagnosis, ~~and~~ treatment, and cure of
 193 diseases related to tobacco use, including cancer,
 194 cardiovascular disease, stroke, and pulmonary disease.

195 (2) Funds appropriated for the James and Esther King
 196 Biomedical Research Program shall be used exclusively for the
 197 award of grants and fellowships as established in this section;
 198 for research relating to the prevention, diagnosis, ~~and~~
 199 treatment, and cure of diseases related to tobacco use,

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200 including cancer, cardiovascular disease, stroke, and pulmonary
 201 disease; and for expenses incurred in the administration of this
 202 section. Priority shall be granted to research designed to
 203 prevent or cure disease.

204 (10) The council shall submit an annual progress report on
 205 the state of biomedical research in this state to the Florida
 206 Center for Universal Research to Eradicate Disease and to the
 207 Governor, the Secretary of Health, the President of the Senate,
 208 and the Speaker of the House of Representatives by February 1.
 209 The report must include:

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

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

213 (c) A list of publications in peer reviewed journals
 214 involving research supported by grants or fellowships awarded
 215 under the program.

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

218 (e) New grants for biomedical research which were funded
 219 based on research supported by grants or fellowships awarded
 220 under the program.

221 (f) Progress in the prevention, diagnosis, ~~and~~ treatment,
 222 and cure of diseases related to tobacco use, including cancer,
 223 cardiovascular disease, stroke, and pulmonary disease.

224 Section 3. Paragraph (d) of subsection (1) of section
 225 215.5601, Florida Statutes, is amended to read:

226 215.5601 Lawton Chiles Endowment Fund.--

227 (1) LEGISLATIVE INTENT.--It is the intent of the
 228 Legislature to:

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229 (d) Provide funds to help support public-health and
 230 biomedical research for the prevention, diagnosis, ~~and~~
 231 treatment, and cure of diseases related to tobacco use by
 232 creating an annual and perpetual source of funding for
 233 biomedical research in the state in order to expand the
 234 foundation of biomedical knowledge relating to the prevention,
 235 diagnosis, ~~and~~ treatment, and cure of diseases related to
 236 tobacco use, including cancer, cardiovascular disease, stroke,
 237 and pulmonary disease; improve the quality of the state's
 238 academic health centers by bringing the advances of biomedical
 239 research into the training of physicians and other health care
 240 providers; and increase the state's per capita funding for
 241 biomedical research by undertaking new initiatives in biomedical
 242 research which will attract additional funding from outside the
 243 state while also stimulating economic activity in the state in
 244 areas related to biomedical research, such as the research and
 245 production of pharmaceuticals, biotechnology, and medical
 246 devices.

247 Section 4. Florida Cancer Research Cooperative.--

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

251 (2)(a) A not-for-profit corporation, acting as an
 252 instrumentality of the Florida Dialogue on Cancer, shall be
 253 organized for the purpose of governing the affairs of the
 254 cooperative.

255 (b) The Florida Cancer Research Cooperative, Inc., may
 256 create not-for-profit corporate subsidiaries to fulfill its
 257 mission. The not-for-profit corporation and its subsidiaries may

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258 receive, hold, invest, and administer property and any moneys
259 acquired from private, local, state, and federal sources, as
260 well as technical and professional income generated or derived
261 from the mission-related activities of the cooperative.

262 (c) The affairs of the not-for-profit corporation shall be
263 managed by a board of directors, which shall consist of:

264 1. The Secretary of Health or his or her designee.

265 2. The Chief Executive Officer of the H. Lee Moffitt
266 Cancer Center or his or her designee.

267 3. The President of the University of Florida Shands
268 Cancer Center or his or her designee.

269 4. The Chief Executive Officer of the University of Miami
270 Sylvester Comprehensive Cancer Center or his or her designee.

271 5. The Chief Executive Officer of the Mayo Clinic,
272 Jacksonville, or his or her designee.

273 6. The Chief Executive Officer of the American Cancer
274 Society, Florida Division, or his or her designee.

275 7. The President of the American Cancer Society, Florida
276 Division Board of Directors, or his or her designee.

277 8. The President of the Florida Society of Clinical
278 Oncology or his or her designee.

279 9. The Chief Executive Officer of Enterprise Florida,
280 Inc., or his or her designee.

281 10. Three representatives from large Florida hospitals or
282 institutions, not delineated in subparagraphs 2.-5., which treat
283 a large volume of cancer patients. One shall be appointed by the
284 Governor, one shall be appointed by the President of the Senate,
285 and one shall be appointed by the Speaker of the House of
286 Representatives.

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287 11. Three representatives from community-based, statewide
 288 organizations serving populations that experience cancer
 289 disparities, one of whom shall be appointed by the Governor, one
 290 of whom shall be appointed by the President of the Senate, and
 291 one of whom shall be appointed by the Speaker of the House of
 292 Representatives.

293 12. One member of the Florida House of Representatives, to
 294 be appointed by the Speaker of the House of Representatives.

295 13. One member of the Florida Senate, to be appointed by
 296 the President of the Senate.

297 14. Three university presidents, one of whom shall be
 298 appointed by the Governor, one of whom shall be appointed by the
 299 President of the Senate, and one of whom shall be appointed by
 300 the Speaker of the House of Representatives.

301 15. Five representatives from other statewide public
 302 health organizations whose missions include public education and
 303 the eradication of cancer, three of whom shall be appointed by
 304 the Governor, one of whom shall be appointed by the President of
 305 the Senate, and one of whom shall be appointed by the Speaker of
 306 the House of Representatives.

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

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

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314 (f) Members of the board of directors of the not-for-
315 profit corporation or any subsidiaries shall serve without
316 compensation.

317 (3) The cooperative shall issue an annual report to the
318 Florida Center for Universal Research to Eradicate Disease and
319 to the Governor, the Speaker of the House of Representatives,
320 and the President of the Senate, by December 15 of each year,
321 with policy and funding recommendations regarding cancer
322 research capacity in Florida and related issues.

323 Section 5. Florida Cancer Research Cooperative; mission
324 and duties.--

325 (1) The cooperative shall develop and centralize the
326 processes and shared services for expanding cancer research in
327 Florida through:

328 (a) Support through bioinformatics, in order to create a
329 cancer informatics infrastructure that enhances information and
330 resource exchange and integration through researchers working in
331 diverse disciplines to facilitate the full spectrum of cancer
332 investigations.

333 (b) Technical coordination, business development, and
334 support of intellectual property.

335 (c) Development of a statewide cancer clinical trials
336 network as contemplated in section 1.

337 (d) Other activities to support multidisciplinary
338 research.

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

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342 Section 6. The Florida Public Health Foundation, Inc.;
 343 establishment; purpose; mission; duties; board of directors.--

344 (1) The Florida Public Health Foundation, Inc., otherwise
 345 referred to in this section as "corporation," is established for
 346 the purpose of disseminating breakthrough findings in biomedical
 347 research and promoting health awareness in this state.

348 (2) The corporation's mission includes disseminating
 349 information about innovative biomedical research and clinical
 350 trials in this state as well as making Floridians and their
 351 treatment providers aware of specified diseases and conditions
 352 and available methods of preventing, diagnosing, treating, and
 353 curing those diseases and conditions.

354 (3) The purpose and objective of the corporation shall be
 355 to operate exclusively for charitable, scientific, and
 356 educational purposes; to protect and improve the health and
 357 well-being of Florida's people and environment through
 358 partnerships committed to program innovation, education, applied
 359 research, and policy development; and to engage in charitable
 360 programs dedicated to improving the health of Floridians.

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

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370 (5) The corporation's duties include procuring funds
 371 necessary for accomplishing the purpose and mission of the
 372 corporation. The corporation shall strive to complement,
 373 supplement, and enhance the missions of the various
 374 organizations, entities, and departments represented on its
 375 board by serving as the lead corporation in the state for
 376 promoting public health awareness.

377 (6) The affairs of the corporation shall be managed by an
 378 executive director appointed by a board of directors consisting
 379 of:

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

381 (b) A former member of the Senate appointed by the
 382 President of the Senate.

383 (c) A former member of the House of Representatives
 384 appointed by the Speaker of the House of Representatives.

385 (d) A representative of the American Heart Association.

386 (e) A representative of the American Cancer Society,
 387 Florida Division, Inc.

388 (f) A representative of the American Lung Association of
 389 Florida.

390 (g) A representative of the American Diabetes Association,
 391 South Coastal Region.

392 (h) A representative of the Alzheimer's Association.

393 (i) A representative of the Epilepsy Foundation.

394 (j) A representative of the National Parkinson Foundation.

395 (k) A representative of the March of Dimes, Florida
 396 Chapter.

397 (l) A representative of the Arthritis Foundation, Florida
 398 Chapter.

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- 399 (m) A representative of the American Liver Foundation.
- 400 (n) A representative of the Florida Council for Behavioral
401 Healthcare, Inc.
- 402 (o) A representative of the Florida Alcohol and Drug Abuse
403 Association, Inc.
- 404 (p) A representative of Pharmaceutical Research and
405 Manufacturers of America.
- 406 (q) A representative of the Florida Public Health
407 Association.
- 408 (r) A representative of the Florida Association of County
409 Health Officers.
- 410 (s) A public health academician selected by the state
411 health officer.
- 412 (t) A representative of the Florida Academy of Family
413 Physicians.
- 414 (u) Three consumers who have demonstrated an interest in
415 protecting the public health appointed by the Florida Public
416 Health Association.
- 417 (7) Members of the board of directors shall serve for 2-
418 year terms and shall serve without compensation.
- 419 (8) The corporation, in consultation with the Department
420 of Health and the Florida Center for Universal Research to
421 Eradicate Disease, shall facilitate communication between
422 biomedical researchers and health care providers each month
423 according to the health awareness schedule established by the
424 corporation, in order to ensure ongoing dialogue among
425 researchers, treatment providers, and the department.
- 426 (9) The corporation and the Department of Health shall
427 enter into partnerships with providers of continuing education

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428 for health care practitioners, including, but not limited to,
 429 hospitals and state and local medical organizations, to ensure
 430 that practitioners are aware of the most recent and complete
 431 diagnostic and treatment tools.

432 (10) The corporation shall provide an annual report
 433 concerning its activities and finances to the Florida Center for
 434 Universal Research to Eradicate Disease by December 15 and shall
 435 provide copies of the annual report to the Governor, the
 436 President of the Senate, and the Speaker of the House of
 437 Representatives.

438 Section 7. Health awareness campaigns.--

439 (1) The Florida Public Health Foundation, Inc., in
 440 consultation with the Department of Health, shall coordinate
 441 monthly health awareness campaigns with national, state, and
 442 local health care organizations and government entities
 443 targeting a wide range of the public, including: parents;
 444 teachers and other school employees; students in grades 4-12,
 445 colleges, and universities; state agency employees; county and
 446 local government employees; patients of county health
 447 departments; Medicaid recipients; health care professionals and
 448 providers; and the public in general.

449 (2) The awareness campaigns shall include the provision of
 450 educational information about preventing, detecting, treating,
 451 and curing the following diseases or conditions. Additional
 452 diseases and conditions that impact the public health may be
 453 added by the board of directors of the Florida Public Health
 454 Foundation, Inc. However, each of the following diseases or
 455 conditions must be included in an awareness campaign during at
 456 least 1 month in any 24-month period:

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- 457 (a) Cancer, including breast, prostate, cervical, ovarian,
- 458 colorectal, and skin cancer and leukemia.
- 459 (b) Heart disease.
- 460 (c) Stroke.
- 461 (d) Lung disease, including asthma and smoking-related
- 462 disease.
- 463 (e) Neurological disorders and disease, including
- 464 Alzheimer's disease, Parkinson's disease, and epilepsy.
- 465 (f) Gastrointestinal disease.
- 466 (g) Kidney disease.
- 467 (h) Diabetes.
- 468 (i) Liver disease.
- 469 (j) Autoimmune disorders.
- 470 (k) Birth defects and prenatal care.
- 471 (l) Obesity and malnutrition.
- 472 (m) Sexually transmissible disease.
- 473 (n) Hepatitis A, hepatitis B, and hepatitis C.
- 474 (o) Arthritis.
- 475 (p) Vaccine-preventable diseases.
- 476 (q) Infectious diseases, including HIV/AIDS.
- 477 (r) Substance abuse.
- 478 (s) Mental illness.
- 479 (3) The health awareness campaigns shall be funded by the
- 480 Florida Public Health Foundation, Inc., and the Department of
- 481 Health to the extent that funds are available from public and
- 482 private sources.
- 483 (4) Health awareness information shall be disseminated
- 484 through all available methods, including print, audio, visual,
- 485 and electronic media.

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Section 8. This act shall take effect upon becoming a law.