

By the Committees on Health and Human Services Appropriations; Health Care; and Senators Saunders, Fasano, King, Smith, Rich, Dockery and Wise

603-2067-05

1 A bill to be entitled
2 An act relating to biomedical research;
3 providing legislative intent; amending s.
4 20.435, F.S.; authorizing use of funds in the
5 Biomedical Research Trust Fund administered by
6 the Department of Health for the purposes of
7 the Florida Center for Universal Research to
8 Eradicate Disease; amending s. 561.121, F.S.;
9 redistributing certain funds collected from
10 taxes on alcoholic beverages; amending s.
11 381.855, F.S.; revising the purpose of the
12 Florida Center for Universal Research to
13 Eradicate Disease; requiring the center to
14 provide grants for cancer research and
15 Alzheimer's disease research; revising
16 membership of the center's advisory council;
17 providing procedures for the awarding of grants
18 for cancer research and Alzheimer's disease
19 research; amending s. 381.921, F.S.; revising a
20 goal of the Florida Cancer Council; amending s.
21 1004.445, F.S.; renaming the Johnnie B. Byrd,
22 Sr., Alzheimer's Center and Research Institute
23 as the "Ronald Reagan Alzheimer's Center and
24 Research Institute"; providing an effective
25 date.

26
27 Be It Enacted by the Legislature of the State of Florida:

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29 Section 1. It is the intent of the Legislature to
30 provide increased funding to support grants for biomedical
31 research in this state with the anticipation that sustained

1 funding for biomedical research over a period of years will
2 lead to an alleviation of human suffering from diseases such
3 as cancer and Alzheimer's disease. It is the intent of the
4 Legislature to dramatically reduce this state's inordinately
5 high cancer burden, reducing both cancer incidence and
6 mortality, while advancing scientific endeavors in this state,
7 making this state a world-class leader in cancer research and
8 treatment. Further, it is the intent of the Legislature to
9 support Alzheimer's disease research statewide through the
10 awarding of research grants on a competitive basis.
11 Additionally, it is the intent of the Legislature to stimulate
12 dramatic economic development, particularly in the biotech
13 industry, through investment in this state's biomedical
14 research.

15 Section 2. Paragraph (h) of subsection (1) of section
16 20.435, Florida Statutes, is amended to read:

17 20.435 Department of Health; trust funds.--

18 (1) The following trust funds are hereby created, to
19 be administered by the Department of Health:

20 (h) Biomedical Research Trust Fund.

21 1. Funds to be credited to the trust fund shall
22 consist of funds deposited pursuant to ss. ~~s.~~ 215.5601 and
23 561.121. Funds shall be used for the purposes of the Florida
24 Center for Universal Research to Eradicate Disease as
25 specified in s. 381.855 and the James and Esther King
26 Biomedical Research Program as specified in ss. 215.5602 and
27 288.955. The trust fund is exempt from the service charges
28 imposed by s. 215.20.

29 2. Notwithstanding the provisions of s. 216.301 and
30 pursuant to s. 216.351, any balance in the trust fund at the
31 end of any fiscal year shall remain in the trust fund at the

1 end of the year and shall be available for carrying out the
2 purposes of the trust fund. The department may invest these
3 funds independently through the Chief Financial Officer or may
4 negotiate a trust agreement with the State Board of
5 Administration for the investment management of any balance in
6 the trust fund.

7 3. Notwithstanding s. 216.301 and pursuant to s.
8 216.351, any balance of any appropriation from the Biomedical
9 Research Trust Fund which is not disbursed but which is
10 obligated pursuant to contract or committed to be expended may
11 be certified by the Governor for up to 3 years following the
12 effective date of the original appropriation.

13 4. The trust fund shall, unless terminated sooner, be
14 terminated on July 1, 2008.

15 Section 3. Subsection (1) of section 561.121, Florida
16 Statutes, is amended to read:

17 561.121 Deposit of revenue.--

18 (1) All state funds collected pursuant to ss. 563.05,
19 564.06, and 565.12 shall be paid into the State Treasury and
20 disbursed in the following manner:

21 (a)1. Two percent of monthly collections of the excise
22 taxes on alcoholic beverages established in ss. 563.05,
23 564.06, and 565.12 shall be deposited into the Alcoholic
24 Beverage and Tobacco Trust Fund to meet the division's
25 appropriation for the state fiscal year.

26 ~~2. Beginning July 1, 2004, there is annually~~
27 ~~distributed \$15 million to the Grants and Donations Trust Fund~~
28 ~~within the Department of Elderly Affairs, and these funds are~~
29 ~~annually appropriated to support a contract with the Johnnie~~
30 ~~B. Byrd, Sr., Alzheimer's Center and Research Institute at the~~
31 ~~University of South Florida for the purposes of conducting~~

1 ~~research, developing and operating integrated data projects,~~
2 ~~and providing assistance to memory disorder clinics as~~
3 ~~established in s. 430.502.~~

4 ~~2.3.~~ Beginning July 1, 2004, there is annually
5 distributed \$6 million to the Biomedical Research Trust Fund
6 within the Department of Health, and these funds are annually
7 appropriated to the James and Esther King Biomedical Research
8 Program. ~~From these funds, up to \$250,000 shall be available~~
9 ~~annually for the operating costs of the Florida Center for~~
10 ~~Universal Research to Eradicate Disease.~~

11 3. Beginning July 1, 2005, there is annually
12 distributed \$9 million to the Biomedical Research Trust Fund
13 within the Department of Health, and these funds are annually
14 appropriated to the Florida Center for Universal Research to
15 Eradicate Disease to provide grants to researchers seeking
16 cures for cancer, with emphasis given to the goals enumerated
17 in s. 381.921 as those goals inure to the advancement of such
18 cures. From these funds, up to \$200,000 shall be available
19 annually for administration of the grant program.

20 4. Beginning July 1, 2005, there is annually
21 distributed \$15 million to the Biomedical Research Trust Fund
22 within the Department of Health, and these funds are annually
23 appropriated to the Florida Center for Universal Research to
24 Eradicate Disease to provide grants to researchers seeking
25 cures for Alzheimer's disease. From these funds, up to
26 \$200,000 shall be available annually for administration of the
27 grant program and up to \$250,000 shall be available annually
28 for the operating costs of the Florida Center for Universal
29 Research to Eradicate Disease.

30 ~~4.~~ Beginning July 1, 2004, there is annually
31 distributed \$9 million to be paid by warrant drawn by the

1 ~~Chief Financial Officer upon the State Treasury to Florida~~
2 ~~State University for the School of Chiropractic Medicine.~~
3 ~~Notwithstanding the provisions of chapter 216, until the~~
4 ~~School of Chiropractic Medicine is completely staffed and~~
5 ~~fully operational, these funds may be used for any purpose by~~
6 ~~the university.~~

7 (b) The remainder of collection shall be credited to
8 the General Revenue Fund.

9 Section 4. Section 381.855, Florida Statutes, is
10 amended to read:

11 381.855 Florida Center for Universal Research to
12 Eradicate Disease.--

13 (1) The Legislature finds that an estimated 128
14 million Americans suffer from acute, chronic, and degenerative
15 diseases and that biomedical research is the key to finding
16 cures for these diseases that negatively affect all
17 Floridians. The Legislature further finds that, while there is
18 much research being conducted throughout this state and
19 throughout the world, there is a lack of coordination of
20 efforts among researchers. The Legislature, therefore, finds
21 that there is a significant need for a coordinated effort if
22 the goal of curing disease is to be achieved. Moreover, the
23 Legislature finds that the biomedical technology sector meets
24 the criteria of a high-impact sector, pursuant to s. 288.108,
25 having a high importance to this state's economy with a
26 significant potential for growth and contribution to our
27 universities and quality of life.

28 (2) It is the intent of the Legislature that Florida
29 strive to become the nation's leader in biomedical research
30 and commit itself to being the state to find cures for the
31 most deadly and widespread diseases. It is further the intent

1 of the Legislature that there be a coordinated effort among
2 the state's public and private universities and the biomedical
3 industry to discover such cures. Moreover, it is the intent of
4 the Legislature to expand the state economy by attracting
5 biomedical researchers and research companies to this state.

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

9 (a) The purpose of the center is to coordinate,
10 improve, expand, and monitor all biomedical research programs
11 within the state, provide grants for cancer research and
12 Alzheimer's disease research, facilitate funding
13 opportunities, and foster improved technology transfer of
14 research findings into clinical trials and widespread public
15 use.

16 (b) The goal of the center is to find cures for
17 diseases such as cancer, heart disease, lung disease,
18 diabetes, autoimmune disorders, and neurological disorders,
19 including Alzheimer's disease, epilepsy, and Parkinson's
20 disease.

21 (c) The center shall hold an annual biomedical
22 technology summit in Florida to which biomedical researchers,
23 biomedical technology companies, business incubators,
24 pharmaceutical manufacturers, and others around the nation and
25 world are invited to share biomedical research findings in
26 order to expedite the discovery of cures. Summit attendees
27 shall cover the costs of such attendance or obtain sponsorship
28 for such attendance.

29 (d) The center shall encourage clinical trials in this
30 state on research that holds promise of curing a disease or
31 condition. The center shall facilitate partnerships between

1 researchers, treating physicians, and community hospitals for
2 the purpose of sharing new techniques and new research
3 findings, as well as coordinating voluntary donations to
4 ensure an adequate supply of adult stem cells, placentas, or
5 cord blood.

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

10 (f) The center shall encourage agricultural colleges
11 and agricultural businesses in this state to be active in the
12 search for cures and in providing information to the public
13 about disease prevention.

14 (g) The center shall facilitate partnerships among
15 researchers working to cure all types of diseases, including
16 those that are prevalent in developed countries and those that
17 occur mainly in developing countries.

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

20 (i) The center shall monitor the supply and demand
21 needs of researchers relating to stem cell research and other
22 types of human tissue research. If the center determines that
23 there is a need for increased donation of human tissue, it
24 shall notify hospitals licensed pursuant to chapter 395 which
25 have entered into partnership agreements with research
26 institutes conducting stem cell research located in the same
27 geographic region as the researchers demanding the stem cells
28 or other tissues. Such hospitals shall implement programs that
29 encourage voluntary donations of cord blood or other needed
30 adult tissue.

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

3 (k) The center shall serve as a registry of all known
4 opportunities for biomedical grants ~~and may assist any public~~
5 ~~or private biomedical research program in this state in~~
6 ~~preparing grant requests.~~

7 (l) The center shall provide grants for cancer
8 research and Alzheimer's disease research to further the
9 search for cures for those diseases.

10 ~~(m)(l)~~ The center shall maintain a website with links
11 to peer-reviewed biomedical research. The website shall also
12 contain a list of all known biomedical research being
13 conducted in Florida and shall facilitate communication among
14 researchers and other interested parties.

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

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

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

25 (a) The council shall consist of ~~the members of the~~
26 ~~board of directors of the Florida Research Consortium and at~~
27 ~~least~~ one representative from:

- 28 1. The Emerging Technology Commission.
- 29 2. Enterprise Florida, Inc.
- 30 3. BioFlorida.
- 31 4. The Biomedical Research Advisory Council.

- 1 5. The Florida Medical Foundation.
- 2 6. Pharmaceutical Research and Manufacturers of
3 America.
- 4 7. The Florida Tri-Agency Coalition on Smoking OR
5 Health.
- 6 8. The Florida Cancer Council.
- 7 9. The American Cancer Society, Florida Division, Inc.
- 8 10. The American Heart Association.
- 9 11. The American Lung Association of Florida.
- 10 12. The American Diabetes Association, South Coastal
11 Region.
- 12 13. The Alzheimer's Association.
- 13 14. The Epilepsy Foundation.
- 14 15. The National Parkinson Foundation.
- 15 16. The Florida Public Health Foundation, Inc.
- 16 17. Scripps Florida or the entity formed in this state
17 by The Scripps Research Institute.
- 18 18. The Florida Research Consortium.
- 19 (b) Members of the council shall serve without
20 compensation, and each organization represented shall cover
21 all expenses of its representative.
- 22 (6)(a) Applications for cancer research funding may be
23 submitted from any university or established research
24 institute in the state. All qualified investigators in the
25 state, regardless of institution affiliation, shall have equal
26 access and opportunity to compete for the research funding.
27 Grants shall be awarded by the Secretary of Health, after
28 consultation with the council, on the basis of scientific
29 merit, as determined by an open, competitive peer review
30 process that ensures objectivity, consistency, and high
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1 quality. The following types of applications shall be
2 considered for funding:

3 1. Investigator-initiated research grants.

4 2. Institutional research grants.

5 (b) To ensure that all proposals for research funding
6 are appropriate and are evaluated fairly on the basis of
7 scientific merit, the Secretary of Health, in consultation
8 with the council, shall appoint a peer review panel of
9 independent, scientifically qualified individuals to review
10 the scientific content of each proposal and establish its
11 scientific priority score. The priority scores shall be
12 forwarded to the council and must be considered in determining
13 which proposals shall be recommended for funding.

14 (c) The council and the peer review panel shall
15 establish and follow rigorous guidelines for ethical conduct
16 and adhere to a strict policy with regard to conflict of
17 interest. A member of the council or panel may not participate
18 in any discussion or decision with respect to a research
19 proposal by any firm, entity, or agency with which the member
20 is associated as a member of the governing body or as an
21 employee, or with which the member has entered into a
22 contractual arrangement. Meetings of the council and the peer
23 review panels are subject to chapter 119, s. 286.011, and s.
24 24, Art. I of the State Constitution.

25 (7)(a) Applications for Alzheimer's disease research
26 funding may be submitted from any university or established
27 research institute in the state. All qualified investigators
28 in the state, regardless of institution affiliation, shall
29 have equal access and opportunity to compete for the research
30 funding. Grants shall be awarded by the Secretary of Health,
31 after consultation with the council, on the basis of

1 scientific merit, as determined by an open, competitive peer
2 review process that ensures objectivity, consistency, and high
3 quality. The following types of applications shall be
4 considered for funding:

5 1. Investigator-initiated research grants.

6 2. Institutional research grants.

7 (b) To ensure that all proposals for research funding
8 are appropriate and are evaluated fairly on the basis of
9 scientific merit, the Secretary of Health, in consultation
10 with the council, shall appoint a peer review panel of
11 independent, scientifically qualified individuals to review
12 the scientific content of each proposal and establish its
13 scientific priority score. The priority scores shall be
14 forwarded to the council and must be considered in determining
15 which proposals shall be recommended for funding.

16 (c) The council and the peer review panel shall
17 establish and follow rigorous guidelines for ethical conduct
18 and adhere to a strict policy with regard to conflict of
19 interest. A member of the council or panel may not participate
20 in any discussion or decision with respect to a research
21 proposal by any firm, entity, or agency with which the member
22 is associated as a member of the governing body or as an
23 employee, or with which the member has entered into a
24 contractual arrangement. Meetings of the council and the peer
25 review panels are subject to chapter 119, s. 286.011, and s.
26 24, Art. I of the State Constitution.

27 Section 5. Section 381.921, Florida Statutes, is
28 amended to read:

29 381.921 Florida Cancer Council mission and
30 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 in this state;

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;

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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 6. Section 1004.445, Florida Statutes, is
17 amended to read:

18 1004.445 Ronald Reagan ~~Johnnie B. Byrd, Sr.,~~
19 Alzheimer's Center and Research Institute.--

20 (1) The Ronald Reagan ~~Johnnie B. Byrd, Sr.,~~
21 Alzheimer's Center and Research Institute is established at
22 the University of South Florida.

23 (2)(a) The State Board of Education shall enter into
24 an agreement for the utilization of the facilities on the
25 campus of the University of South Florida to be known as the
26 Ronald Reagan ~~Johnnie B. Byrd, Sr.,~~ Alzheimer's Center and
27 Research Institute, including all furnishings, equipment, and
28 other chattels used in the operation of those facilities, with
29 a Florida not-for-profit corporation organized solely for the
30 purpose of governing and operating the Ronald Reagan ~~Johnnie~~
31 ~~B. Byrd, Sr.,~~ Alzheimer's Center and Research Institute. This

1 not-for-profit corporation, acting as an instrumentality of
2 the state, shall govern and operate the Ronald Reagan ~~Johnnie~~
3 ~~B. Byrd, Sr.,~~ Alzheimer's Center and Research Institute in
4 accordance with the terms of the agreement between the State
5 Board of Education and the not-for-profit corporation. The
6 not-for-profit corporation may, with the prior approval of the
7 State Board of Education, create either for-profit or
8 not-for-profit corporate subsidiaries, or both, to fulfill its
9 mission. The not-for-profit corporation and its subsidiaries
10 are authorized to receive, hold, invest, and administer
11 property and any moneys acquired from private, local, state,
12 and federal sources, as well as technical and professional
13 income generated or derived from practice activities of the
14 institute, for the benefit of the institute and the
15 fulfillment of its mission.

16 (b)1. The affairs of the not-for-profit corporation
17 shall be managed by a board of directors who shall serve
18 without compensation. The board of directors shall consist of
19 the President of the University of South Florida and the chair
20 of the State Board of Education, or their designees, 5
21 representatives of the state universities, and no fewer than 9
22 nor more than 14 representatives of the public who are neither
23 medical doctors nor state employees. Each director who is a
24 representative of a state university or of the public shall be
25 appointed to serve a term of 3 years. The chair of the board
26 of directors shall be selected by a majority vote of the
27 directors. Each director shall have only one vote.

28 2. The initial board of directors shall consist of the
29 President of the University of South Florida and the chair of
30 the State Board of Education, or their designees; the five
31 university representatives, of whom one shall be appointed by

1 the Governor, two by the President of the Senate, and two by
2 the Speaker of the House of Representatives; and nine public
3 representatives, of whom three shall be appointed by the
4 Governor, three by the President of the Senate, and three by
5 the Speaker of the House of Representatives. Upon the
6 expiration of the terms of the initial appointed directors,
7 all directors subject to 3-year terms of office under this
8 paragraph shall be appointed by a majority vote of the
9 directors and the board may be expanded to include additional
10 public representative directors up to the maximum number
11 allowed. Any vacancy in office shall be filled for the
12 remainder of the term by majority vote of the directors. Any
13 director may be reappointed.

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

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

19 (b) Approval by the State Board of Education of the
20 articles of incorporation of any not-for-profit corporate
21 subsidiary created by the not-for-profit corporation.

22 (c) Utilization of lands, facilities, and personnel by
23 the not-for-profit corporation and its subsidiaries for
24 research, education, treatment, prevention, and the early
25 detection of Alzheimer's disease and for mutually approved
26 teaching and research programs conducted by the University of
27 South Florida or other accredited medical schools or research
28 institutes.

29 (d) Preparation of an annual financial audit pursuant
30 to s. 11.45 of the not-for-profit corporation's accounts and
31 the accounts of any subsidiaries to be conducted by an

1 independent certified public accountant. The annual audit
2 report shall include management letters and shall be submitted
3 to the Auditor General and the State Board of Education for
4 review. The State Board of Education, the Auditor General, and
5 the Office of Program Policy Analysis and Government
6 Accountability shall have the authority to require and receive
7 from the not-for-profit corporation and any subsidiaries, or
8 from their independent auditor, any detail or supplemental
9 data relative to the operation of the not-for-profit
10 corporation or subsidiary.

11 (e) Provision by the not-for-profit corporation and
12 its subsidiaries of equal employment opportunities for all
13 persons regardless of race, color, religion, gender, age, or
14 national origin.

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

26 (5) In the event that the agreement between the
27 not-for-profit corporation and the State Board of Education is
28 terminated for any reason, the State Board of Education shall
29 assume governance and operation of the facilities.

30 (6) The institute shall be administered by a chief
31 executive officer, who shall be appointed by and serve at the

1 | pleasure of the board of directors of the not-for-profit
2 | corporation, and who shall exercise the following powers and
3 | duties, subject to the approval of the board of directors:

4 | (a) The chief executive officer shall establish
5 | programs that fulfill the mission of the institute in
6 | research, education, treatment, prevention, and early
7 | detection of Alzheimer's disease; however, the chief executive
8 | officer may not establish academic programs for which academic
9 | credit is awarded and which culminate in the conferring of a
10 | degree, without prior approval of the State Board of
11 | Education.

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

22 | (c) The chief executive officer shall appoint
23 | representatives of the institute to carry out the research,
24 | patient care, and educational activities of the institute and
25 | establish the compensation, benefits, and terms of service of
26 | such representatives. Representatives of the institute shall
27 | be eligible to hold concurrent appointments at affiliated
28 | academic institutions. University faculty shall be eligible to
29 | hold concurrent appointments at the institute.

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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 (7) 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. The council shall review programs
18 and recommend research priorities and initiatives to maximize
19 the state's investment in the institute. The members of the
20 council shall be appointed by the board of directors of the
21 not-for-profit corporation. Each member of the council shall
22 be appointed to serve a 2-year term and may be reappointed to
23 the council.

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

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

30 (a) Personal identifying information relating to
31 clients of programs created or funded through the Ronald

1 Reagan ~~Johnnie B. Byrd, Sr.,~~ Alzheimer's Center and Research
2 Institute which is held by the institute, University of South
3 Florida, or State Board of Education or by persons who provide
4 services to clients of programs created or funded through
5 contracts with the Ronald Reagan ~~Johnnie B. Byrd, Sr.,~~
6 Alzheimer's Center and Research Institute;

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

9 (c) Materials that relate to methods of manufacture or
10 production, potential trade secrets, potentially patentable
11 material, actual trade secrets as defined in s. 688.002, or
12 proprietary information received, generated, ascertained, or
13 discovered during the course of research conducted by or
14 through the institute and business transactions resulting from
15 such research;

16 (d) The identity of a donor or prospective donor to
17 the Ronald Reagan ~~Johnnie B. Byrd, Sr.,~~ Alzheimer's Center and
18 Research Institute who wishes to remain anonymous, and all
19 information identifying such donor or prospective donor;

20 (e) Any information received by the institute in the
21 performance of its duties and responsibilities which is
22 otherwise confidential and exempt by law; and

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

27
28 Any governmental entity that demonstrates a need to access
29 such confidential and exempt information in order to perform
30 its duties and responsibilities shall have access to such
31 information and shall otherwise keep such information

1 confidential and exempt. This section is subject to the Open
2 Government Sunset Review Act of 1995 in accordance with s.
3 119.15 and shall stand repealed on October 2, 2006, unless
4 reviewed and saved from repeal through reenactment by the
5 Legislature.

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

10 Section 7. This act shall take effect July 1, 2005.

11
12 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
13 COMMITTEE SUBSTITUTE FOR
14 CS for SB 1872

- 15
16 - Increases the purpose of the Biomedical Research Trust
17 Fund to include the Florida Center for Universal Research
18 to Eradicate Disease.
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20 - Appropriates funds to the Biomedical Research Trust Fund
21 within the Department of Health.
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