

1 A bill to be entitled
2 An act relating to biomedical research;
3 providing legislative intent; amending s.
4 561.121, F.S.; redistributing certain funds
5 collected from taxes on alcoholic beverages;
6 amending s. 381.855, F.S.; revising the purpose
7 of the Florida Center for Universal Research to
8 Eradicate Disease; requiring the center to
9 provide grants for cancer research and
10 Alzheimer's disease research; revising
11 membership of the center's advisory council;
12 providing procedures for the awarding of grants
13 for cancer research; amending s. 381.921, F.S.;
14 revising a goal of the Florida Cancer Council;
15 providing appropriations; amending s. 215.5602,
16 F.S.; requiring the Legislature to annually
17 appropriate funds to the James and Esther King
18 Biomedical Research Program; amending s.
19 1004.445, F.S.; requiring the Legislature to
20 annually appropriate funds to support research
21 to the Johnnie B. Byrd, Sr., Alzheimer's Center
22 and Research Institute; amending s. 430.502,
23 F.S.; creating a memory disorder clinic at
24 Florida Atlantic University, Boca Raton, in
25 Palm Beach County; providing an effective date.

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

28
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. 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 ~~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 ~~4. Beginning July 1, 2004, there is annually~~
12 ~~distributed \$9 million to be paid by warrant drawn by the~~
13 ~~Chief Financial Officer upon the State Treasury to Florida~~
14 ~~State University for the School of Chiropractic Medicine.~~
15 ~~Notwithstanding the provisions of chapter 216, until the~~
16 ~~School of Chiropractic Medicine is completely staffed and~~
17 ~~fully operational, these funds may be used for any purpose by~~
18 ~~the university.~~

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

21 Section 3. Section 381.855, Florida Statutes, is
22 amended to read:

23 381.855 Florida Center for Universal Research to
24 Eradicate Disease.--

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

1 efforts among researchers. The Legislature, therefore, finds
2 that there is a significant need for a coordinated effort if
3 the goal of curing disease is to be achieved. Moreover, the
4 Legislature finds that the biomedical technology sector meets
5 the criteria of a high-impact sector, pursuant to s. 288.108,
6 having a high importance to this state's economy with a
7 significant potential for growth and contribution to our
8 universities and quality of life.

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

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

21 (a) The purpose of the center is to coordinate,
22 improve, expand, and monitor all biomedical research programs
23 within the state, provide grants for cancer research and
24 Alzheimer's disease research, facilitate funding
25 opportunities, and foster improved technology transfer of
26 research findings into clinical trials and widespread public
27 use.

28 (b) The goal of the center is to find cures for
29 diseases such as cancer, heart disease, lung disease,
30 diabetes, autoimmune disorders, and neurological disorders,
31

1 including Alzheimer's disease, epilepsy, and Parkinson's
2 disease.

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

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

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

23 (f) The center shall encourage agricultural colleges
24 and agricultural businesses in this state to be active in the
25 search for cures and in providing information to the public
26 about disease prevention.

27 (g) The center shall facilitate partnerships among
28 researchers working to cure all types of diseases, including
29 those that are prevalent in developed countries and those that
30 occur mainly in developing countries.

31

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

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

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

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

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

23 ~~(m)(1)~~ The center shall maintain a website with links
24 to peer-reviewed biomedical research. The website shall also
25 contain a list of all known biomedical research being
26 conducted in Florida and shall facilitate communication among
27 researchers and other interested parties.

28 ~~(n)(m)~~ The center shall submit an annual report to the
29 Governor, the President of the Senate, and the Speaker of the
30 House of Representatives no later than January 15 which
31 contains recommendations for legislative change necessary to

1 foster a positive climate for biomedical research in this
2 state.

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

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

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

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

1 18. A Florida not-for-profit institution engaged in
2 basic and clinical biomedical research and education that
3 receives more than \$10 million in annual grant funding from
4 the National Institutes of Health. This position is for a
5 4-year term. Consecutive terms may not be held by the same
6 institution.

7 (b) Members of the council shall serve without
8 compensation, and each organization represented shall cover
9 all expenses of its representative.

10 (6)(a) Applications for cancer research funding may be
11 submitted from any university or established research
12 institute in the state. All qualified investigators in the
13 state, regardless of institution affiliation, shall have equal
14 access and opportunity to compete for the research funding.
15 Grants shall be awarded by the Secretary of Health, after
16 consultation with the council, on the basis of scientific
17 merit, as determined by an open, competitive peer review
18 process that ensures objectivity, consistency, and high
19 quality. The following types of applications shall be
20 considered for funding:

21 1. Investigator-initiated research grants.

22 2. Institutional research grants.

23 (b) To ensure that all proposals for research funding
24 are appropriate and are evaluated fairly on the basis of
25 scientific merit, the Secretary of Health, in consultation
26 with the council, shall appoint a peer review panel of
27 independent, scientifically qualified individuals to review
28 the scientific content of each proposal and establish its
29 scientific priority score. The priority scores shall be
30 forwarded to the council and must be considered in determining
31 which proposals shall be recommended for funding.

1 (c) The council and the peer review panel shall
2 establish and follow rigorous guidelines for ethical conduct
3 and adhere to a strict policy with regard to conflict of
4 interest. A member of the council or panel may not participate
5 in any discussion or decision with respect to a research
6 proposal by any firm, entity, or agency with which the member
7 is associated as a member of the governing body or as an
8 employee, or with which the member has entered into a
9 contractual arrangement. Meetings of the council and the peer
10 review panels are subject to chapter 119, s. 286.011, and s.
11 24, Art. I of the State Constitution.

12 (7) The Legislature shall annually appropriate funds
13 for research grants and for operating costs to the Florida
14 Center for Universal Research to Eradicate Disease in the
15 General Appropriations Act.

16 Section 4. Section 381.921, Florida Statutes, is
17 amended to read:

18 381.921 Florida Cancer Council mission and
19 duties.--The council, which shall work in concert with the
20 Florida Center for Universal Research to Eradicate Disease to
21 ensure that the goals of the center are advanced, shall
22 endeavor to dramatically improve cancer research and treatment
23 in this state through:

24 (1) Efforts to significantly expand cancer research
25 capacity in the state by:

26 (a) Identifying ways to attract new research talent
27 and attendant national grant-producing researchers to
28 ~~Florida-based~~ cancer research facilities in this state;

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

- 1 (c) Funding through available resources for those
2 proposals that demonstrate the greatest opportunity to attract
3 federal research grants and private financial support;
- 4 (d) Encouraging the employment of bioinformatics in
5 order to create a cancer informatics infrastructure that
6 enhances information and resource exchange and integration
7 through researchers working in diverse disciplines, to
8 facilitate the full spectrum of cancer investigations;
- 9 (e) Facilitating the technical coordination, business
10 development, and support of intellectual property as it
11 relates to the advancement of cancer research; and
- 12 (f) Aiding in other multidisciplinary research-support
13 activities as they inure to the advancement of cancer
14 research.
- 15 (2) Efforts to improve both research and treatment
16 through greater participation in clinical trials networks by:
- 17 (a) Identifying ways to increase adult enrollment in
18 cancer clinical trials;
- 19 (b) Supporting public and private professional
20 education programs designed to increase the awareness and
21 knowledge about cancer clinical trials;
- 22 (c) Providing tools to cancer patients and
23 community-based oncologists to aid in the identification of
24 cancer clinical trials available in the state; and
- 25 (d) Creating opportunities for the state's academic
26 cancer centers to collaborate with community-based oncologists
27 in cancer clinical trials networks.
- 28 (3) Efforts to reduce the impact of cancer on
29 disparate groups by:
- 30 (a) Identifying those cancers that disproportionately
31 impact certain demographic groups; and

1 (b) Building collaborations designed to reduce health
2 disparities as they relate to cancer.

3 Section 5. The following appropriations are made for
4 the 2005-2006 fiscal year:

5 (1) To the Florida Center for Universal Research to
6 Eradicate Disease within the Department of Health, \$9 million
7 from the General Revenue Fund to be distributed pursuant to
8 law to provide grants to researchers seeking cures for cancer,
9 with emphasis given to the goals enumerated in section
10 381.921, Florida Statutes, as those goals inure to the
11 advancement of such cures.

12 (2) To the Johnnie B. Byrd, Sr., Alzheimer's Center
13 and Research Institute at the University of South Florida, \$15
14 million from the General Revenue Fund for the purposes of
15 conducting research, developing and operating integrated data
16 projects, and providing assistance to memory disorder clinics
17 as established under section 430.502, Florida Statutes.

18 (3) To the Department of Health Biomedical Research
19 Trust Fund, \$6 million from the General Revenue Fund.

20 (4) To the James and Esther King Biomedical Research
21 Program, \$6 million from the Biomedical Research Trust Fund
22 for the purposes of section 215.5602, Florida Statutes.

23 Section 6. Subsection (11) is added to section
24 215.5602, Florida Statutes, to read:

25 215.5602 James and Esther King Biomedical Research
26 Program.--

27 (11) The Legislature shall annually appropriate funds
28 to the James and Esther King Biomedical Research Program for
29 the purposes of this section in the General Appropriations
30 Act.

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1 Section 7. Subsection (11) is added to section
2 1004.445, Florida Statutes, to read:

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

5 (11) The Legislature shall annually appropriate funds
6 to support research to the Johnnie B. Byrd, Sr., Alzheimer's
7 Center and Research Institute at the University of South
8 Florida in the General Appropriations Act.

9 Section 8. Subsection (1) of section 430.502, Florida
10 Statutes, is amended to read:

11 430.502 Alzheimer's disease; memory disorder clinics
12 and day care and respite care programs.--

13 (1) There is established:

14 (a) A memory disorder clinic at each of the three
15 medical schools in this state;

16 (b) A memory disorder clinic at a major private
17 nonprofit research-oriented teaching hospital, and may fund a
18 memory disorder clinic at any of the other affiliated teaching
19 hospitals;

20 (c) A memory disorder clinic at the Mayo Clinic in
21 Jacksonville;

22 (d) A memory disorder clinic at the West Florida
23 Regional Medical Center;

24 (e) The East Central Florida Memory Disorder Clinic at
25 the Joint Center for Advanced Therapeutics and Biomedical
26 Research of the Florida Institute of Technology and Holmes
27 Regional Medical Center, Inc.;

28 (f) A memory disorder clinic at the Orlando Regional
29 Healthcare System, Inc.;

30 (g) A memory disorder center located in a public
31 hospital that is operated by an independent special hospital

1 taxing district that governs multiple hospitals and is located
2 in a county with a population greater than 800,000 persons;

3 (h) A memory disorder clinic at St. Mary's Medical
4 Center in Palm Beach County;

5 (i) A memory disorder clinic at Tallahassee Memorial
6 Healthcare;

7 (j) A memory disorder clinic at Lee Memorial Hospital
8 created by chapter 63-1552, Laws of Florida, as amended;

9 (k) A memory disorder clinic at Sarasota Memorial
10 Hospital in Sarasota County; ~~and~~

11 (l) A memory disorder clinic at Morton Plant Hospital,
12 Clearwater, in Pinellas County; ~~and~~

13 (m) A memory disorder clinic at Florida Atlantic
14 University, Boca Raton, in Palm Beach County,

15
16 for the purpose of conducting research and training in a
17 diagnostic and therapeutic setting for persons suffering from
18 Alzheimer's disease and related memory disorders. However,
19 memory disorder clinics funded as of June 30, 1995, shall not
20 receive decreased funding due solely to subsequent additions
21 of memory disorder clinics in this subsection.

22 Section 9. This act shall take effect July 1, 2005.
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