

Amendment No.

CHAMBER ACTION

Senate

House

.

1 Representative Zapata offered the following:

2
3 **Amendment to Senate Amendment (780200) (with title**
4 **amendment)**

5 Remove lines 5-1883 and insert:

6 Section 1. Paragraph (e) of subsection (2) of section
7 154.503, Florida Statutes, is amended to read:

8 154.503 Primary Care for Children and Families Challenge
9 Grant Program; creation; administration.--

10 (2) The department shall:

11 (e) Coordinate with the primary care program developed
12 pursuant to s. 154.011, the Florida Healthy Kids Corporation
13 program created in s. 624.91, the school health services program
14 created in ss. 381.0056 and 381.0057, ~~the Healthy Communities,~~
15 ~~Healthy People Program~~ created in s. 381.734, and the volunteer
16 health care provider program developed pursuant to s. 766.1115.
770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

17 Section 2. Sections 381.0053, 381.0054, 381.732, 381.733,
18 and 381.734, Florida Statutes, are repealed.

19 Section 3. Subsection (16) of section 381.006, Florida
20 Statutes, is amended, and subsection (17) is added to that
21 section, to read:

22 381.006 Environmental health.--The department shall
23 conduct an environmental health program as part of fulfilling
24 the state's public health mission. The purpose of this program
25 is to detect and prevent disease caused by natural and manmade
26 factors in the environment. The environmental health program
27 shall include, but not be limited to:

28 (16) A group-care-facilities function, where a group care
29 facility means any public or private school, housing, building
30 or buildings, section of a building, or distinct part of a
31 building or other place, whether operated for profit or not,
32 which undertakes, through its ownership or management, to
33 provide one or more personal services, care, protection, and
34 supervision to persons who require such services and who are not
35 related to the owner or administrator. The department may adopt
36 rules necessary to protect the health and safety of residents,
37 staff, and patrons of group care facilities, such as child care
38 facilities, family day care homes, assisted living facilities,
39 adult day care centers, adult family care homes, hospices,
40 residential treatment facilities, crisis stabilization units,
41 pediatric extended care centers, intermediate care facilities
42 for the developmentally disabled, group care homes, and, jointly
43 with the Department of Education, private and public schools.
44 These rules may include definitions of terms; provisions

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

45 relating to operation and maintenance of facilities, buildings,
46 grounds, equipment, furnishings, and occupant-space
47 requirements; lighting; heating, cooling, and ventilation; food
48 service; water supply and plumbing; sewage; sanitary facilities;
49 insect and rodent control; garbage; safety; personnel health,
50 hygiene, and work practices; and other matters the department
51 finds are appropriate or necessary to protect the safety and
52 health of the residents, staff, or patrons. The department may
53 not adopt rules that conflict with rules adopted by the
54 licensing or certifying agency. The department may enter and
55 inspect at reasonable hours to determine compliance with
56 applicable statutes or rules. An environmental health program
57 inspection of a certified domestic violence center or
58 residential child-caring agency licensed by the Department of
59 Children and Family Services pursuant to chapter 409 shall be
60 limited to the requirements set forth in the department's rules
61 applicable to community-based residential facilities with five
62 or fewer residents. In addition to any sanctions that the
63 department may impose for violations of rules adopted under this
64 section, the department shall also report such violations to any
65 agency responsible for licensing or certifying the group care
66 facility. The licensing or certifying agency may also impose any
67 sanction based solely on the findings of the department.

68 (17) Upon completion of the department's study to develop
69 passive strategies for nitrogen reduction that complement use of
70 conventional onsite wastewater treatment systems, the department
71 shall submit a final report to the Executive Office of the
72 Governor, the President of the Senate, and the Speaker of the

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

73 House of Representatives prior to proceeding with any nitrogen
74 reduction activities.

75
76 The department may adopt rules to carry out the provisions of
77 this section.

78 Section 4. Paragraph (a) of subsection (2) of section
79 381.0072, Florida Statutes, is amended to read:

80 381.0072 Food service protection.--It shall be the duty of
81 the Department of Health to adopt and enforce sanitation rules
82 consistent with law to ensure the protection of the public from
83 food-borne illness. These rules shall provide the standards and
84 requirements for the storage, preparation, serving, or display
85 of food in food service establishments as defined in this
86 section and which are not permitted or licensed under chapter
87 500 or chapter 509.

88 (2) DUTIES.--

89 (a) The department shall adopt rules, including
90 definitions of terms which are consistent with law prescribing
91 minimum sanitation standards and manager certification
92 requirements as prescribed in s. 509.039, and which shall be
93 enforced in food service establishments as defined in this
94 section. The sanitation standards must address the construction,
95 operation, and maintenance of the establishment; lighting,
96 ventilation, laundry rooms, lockers, use and storage of toxic
97 materials and cleaning compounds, and first-aid supplies; plan
98 review; design, construction, installation, location,
99 maintenance, sanitation, and storage of food equipment and
100 utensils; employee training, health, hygiene, and work

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

101 practices; food supplies, preparation, storage, transportation,
102 and service, including access to the areas where food is stored
103 or prepared; and sanitary facilities and controls, including
104 water supply and sewage disposal; plumbing and toilet
105 facilities; garbage and refuse collection, storage, and
106 disposal; and vermin control. Public and private schools, if the
107 food service is operated by school employees; hospitals licensed
108 under chapter 395; nursing homes licensed under part II of
109 chapter 400; child care facilities as defined in s. 402.301;
110 residential facilities colocated with a nursing home or
111 hospital, if all food is prepared in a central kitchen that
112 complies with nursing or hospital regulations; and bars and
113 lounges, as defined by department rule, are exempt from the
114 rules developed for manager certification. The department shall
115 administer a comprehensive inspection, monitoring, and sampling
116 program to ensure such standards are maintained. With respect to
117 food service establishments permitted or licensed under chapter
118 500 or chapter 509, the department shall assist the Division of
119 Hotels and Restaurants of the Department of Business and
120 Professional Regulation and the Department of Agriculture and
121 Consumer Services with rulemaking by providing technical
122 information. Food service inspections of a certified domestic
123 violence center shall be limited to the requirements set forth
124 in the department's rules applicable to community-based
125 residential facilities with five or fewer residents.

126 Section 5. Subsection (1) and paragraph (a) of subsection
127 (2) of section 381.0203, Florida Statutes, are amended to read:

128 381.0203 Pharmacy services.--

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

129 (1) The department must ~~may~~ contract on a statewide basis
130 for the purchase of drugs, as defined in s. 499.003, to be used
131 by state agencies and political subdivisions, and may adopt
132 rules to administer this section. Effective January 1, 2010, all
133 state agencies, except the Agency for Health Care
134 Administration, the Department of Veterans' Affairs, and the
135 Department of Management Services, must purchase drugs through
136 the statewide contract unless:

137 (a) The Pharmacy and Therapeutic Advisory Council approves
138 a more cost-effective purchasing plan; or

139 (b) The drugs required are not available through the
140 statewide purchasing contract.

141 (2) The department must ~~may~~ establish and maintain a
142 pharmacy services program that includes, ~~including,~~ but is not
143 limited to:

144 (a) A central pharmacy to support pharmaceutical services
145 provided by the county health departments, including
146 pharmaceutical repackaging, dispensing, and the purchase and
147 distribution of immunizations and other pharmaceuticals. Such
148 services shall be provided to other state agencies and political
149 subdivisions of the state upon written agreement. State agencies
150 purchasing pharmaceutical services shall purchase pharmaceutical
151 services, including pharmaceutical repackaging and dispensing
152 services, in the most cost-effective manner consistent with the
153 delivery of quality medical care. Nothing in this subsection
154 prohibits state agencies from contracting with vendors to
155 provide these pharmaceutical services. Cost savings realized by

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

156 the state through utilization of the central pharmacy may be
157 used by the department to offset additional costs.

158 Section 6. Section 381.84, Florida Statutes, is
159 transferred, renumbered as section 385.106, Florida Statutes,
160 and amended to read:

161 385.106 ~~381.84~~ Comprehensive Statewide Tobacco Education
162 and Use Prevention Program.--

163 (1) DEFINITIONS.--As used in this section and for purposes
164 of the provisions of s. 27, Art. X of the State Constitution,
165 the term:

166 (a) "AHEC network" means an area health education center
167 network established under s. 381.0402.

168 (b) "Best practices" means the Best Practices for
169 Comprehensive Tobacco Control Programs as established by the
170 CDC, as amended.

171 ~~(c)~~ ~~(b)~~ "CDC" means the United States Centers for Disease
172 Control and Prevention.

173 ~~(d)~~ ~~(e)~~ "Council" means the Tobacco Education and Use
174 Prevention Advisory Council.

175 ~~(d)~~ ~~"Department" means the Department of Health.~~

176 ~~(e)~~ ~~"Tobacco" means, without limitation, tobacco itself~~
177 ~~and tobacco products that include tobacco and are intended or~~
178 ~~expected for human use or consumption, including, but not~~
179 ~~limited to, cigarettes, cigars, pipe tobacco, and smokeless~~
180 ~~tobacco.~~

181 ~~(f)~~ ~~"Youth" means minors and young adults.~~

182 (2) PURPOSE, FINDINGS, AND INTENT.--It is the purpose of
183 this section to implement s. 27, Art. X of the State

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

184 Constitution. The Legislature finds that s. 27, Art. X of the
185 State Constitution requires the funding of a statewide tobacco
186 education and use prevention program that focuses on tobacco use
187 by youth. The Legislature further finds that the primary goals
188 of the program are to reduce the prevalence of tobacco use among
189 youth, adults, and pregnant women; reduce per capita tobacco
190 consumption; and reduce exposure to environmental tobacco smoke.
191 Further, it is the intent of the Legislature to base increases
192 in funding for individual components of the program on the
193 results of assessments and evaluations. Recognizing that some
194 components will need to grow faster than inflation, it is the
195 intent of the Legislature to fund portions of the program on a
196 nonrecurring basis in the early years so that those components
197 that are most effective can be supported as the program matures.

198 (3) PROGRAM COMPONENTS AND REQUIREMENTS.--The department
199 shall conduct a comprehensive, statewide tobacco education and
200 use prevention program consistent with the recommendations for
201 effective program components contained in the 1999 Best
202 Practices for Comprehensive Tobacco Control Programs of the CDC,
203 as amended by the CDC. The program shall include the following
204 components, each of which shall focus on educating people,
205 ~~particularly youth and their parents,~~ about the health hazards
206 of tobacco and discouraging the use of tobacco. All program
207 components shall include efforts to educate youth and their
208 parents about tobacco use, and a youth-directed focus shall
209 exist in all components outlined in this subsection.÷

210 (a) State and community interventions.--These
211 interventions shall include, but not be limited to, a statewide
770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

212 tobacco control program that combines and coordinates community-
213 based interventions that focus on preventing initiation of
214 tobacco use among youth and young adults; promoting smoking
215 cessation among adults, youth, and pregnant women; eliminating
216 exposure to secondhand smoke; identifying and eliminating
217 tobacco-related disparities among population groups; and
218 promoting a range of collaborations to prevent and alleviate the
219 effects of chronic diseases. ~~Counter-marketing and advertising;~~
220 ~~cyberspace resource center. The counter marketing and~~
221 ~~advertising campaign shall include, at a minimum, Internet,~~
222 ~~print, radio, and television advertising and shall be funded~~
223 ~~with a minimum of one third of the total annual appropriation~~
224 ~~required by s. 27, Art. X of the State Constitution. A~~
225 ~~cyberspace resource center for copyrighted materials and~~
226 ~~information concerning tobacco education and use prevention,~~
227 ~~including cessation, shall be maintained by the program. Such~~
228 ~~resource center must be accessible to the public, including~~
229 ~~parents, teachers, and students, at each level of public and~~
230 ~~private schools, universities, and colleges in the state and~~
231 ~~shall provide links to other relevant resources. The Internet~~
232 ~~address for the resource center must be incorporated in all~~
233 ~~advertising. The information maintained in the resource center~~
234 ~~shall be used by the other components of the program.~~

235 (b) Health communication interventions.--Effective media
236 and health communication intervention efforts include, but are
237 not limited to, audience research to define themes and execute
238 messages for influential, high impact, and specifically targeted
239 campaigns; market research to identify the target market and the

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

240 behavioral theory motivating change; counter-marketing
241 surveillance; community tie-ins to support and reinforce the
242 statewide campaign; technologies such as viral marketing, social
243 networks, personal web pages, and web logs; traditional media;
244 process and outcome evaluation of the communication efforts; and
245 promotion of available services, including the state telephone
246 tobacco use cessation quitline. ~~Cessation programs, counseling,~~
247 ~~and treatment.~~--This program component shall include two
248 subcomponents:

249 1. ~~A statewide toll-free cessation service, which may~~
250 ~~include counseling, referrals to other local resources and~~
251 ~~support services, and treatment to the extent funds are~~
252 ~~available for treatment services; and~~

253 2. ~~A local community-based program to disseminate~~
254 ~~information about smoking cessation, how smoking cessation~~
255 ~~relates to prenatal care and obesity prevention, and other~~
256 ~~chronic tobacco-related diseases.~~

257 (c) *Cessation interventions.*--Cessation interventions
258 include, but are not limited to, sustaining, expanding, and
259 promoting the service through population-based counseling and
260 treatment programs; encouraging public and private insurance
261 coverage for counseling and FDA-approved medication treatments
262 for tobacco use cessation; eliminating cost and other barriers
263 to treatment for underserved populations; and making health care
264 system changes. Youth interventions to prevent tobacco use
265 initiation and encourage cessation among young people are needed
266 in order to reshape the environment so that it supports tobacco-
267 free norms. Because most people who start smoking are younger

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

268 than 18 years of age, intervening during adolescence is
269 critical. Community programs and school-based policies and
270 interventions should be a part of a comprehensive effort that is
271 implemented in coordination with community and school
272 environments and in conjunction with increasing the unit price
273 of tobacco products, sustaining anti-tobacco media campaigns,
274 making environments tobacco free, and engaging in other efforts
275 to create tobacco-free social norms. ~~Surveillance and~~
276 evaluation. ~~The program shall conduct ongoing epidemiological~~
277 ~~surveillance and shall contract for annual independent~~
278 ~~evaluations of the effectiveness of the various components of~~
279 ~~the program in meeting the goals as set forth in subsection (2).~~

280 (d) Surveillance and evaluation. ~~The surveillance and~~
281 evaluation of all program components shall monitor and document
282 short-term, intermediate, and long-term intervention outcomes to
283 inform program and policy direction and ensure accountability.
284 The surveillance and evaluation must be conducted objectively
285 through scientifically sound methodology. ~~Youth school~~
286 ~~programs.~~ ~~School and after-school programs shall use current~~
287 ~~evidence-based curricula and programs that involve youth to~~
288 ~~educate youth about the health hazards of tobacco, help youth~~
289 ~~develop skills to refuse tobacco, and demonstrate to youth how~~
290 ~~to stop using tobacco.~~

291 (e) Administration and management. ~~Administration and~~
292 management activities include, but are not limited to, strategic
293 planning to guide program efforts and resources in order to
294 accomplish goals; recruiting and developing qualified and
295 diverse technical, program, and administrative staff; awarding

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

296 and monitoring program contracts and grants to coordinate
297 implementation across program areas; developing and maintaining
298 a fiscal-management system to track allocations and the
299 expenditure of funds; increasing capacity at the community level
300 through ongoing training and technical assistance; creating
301 effective communications internally among chronic disease
302 prevention programs and local coalitions and partners; and
303 educating the public and decisionmakers on the health effects of
304 tobacco and evidence-based effective program and policy
305 interventions. ~~Community programs and chronic disease~~
306 ~~prevention. The department shall promote and support local~~
307 ~~community-based partnerships that emphasize programs involving~~
308 ~~youth, including programs for the prevention, detection, and~~
309 ~~early intervention of smoking-related chronic diseases.~~

310 (f) *Training.*--The program shall include the training of
311 health care practitioners, smoking-cessation counselors, and
312 teachers by health professional students and other tobacco-use
313 prevention specialists who are trained in preventing tobacco use
314 and health education. Smoking-cessation counselors shall be
315 trained by specialists who are certified in tobacco-use
316 cessation.

317 (g) County health departments Administration, statewide
318 ~~programs, and county health departments.~~--Each county health
319 department is eligible to receive a portion of the annual
320 appropriation, on a per capita basis, for coordinating tobacco
321 education and use prevention programs within that county.
322 Appropriated funds may be used to improve the infrastructure of
323 the county health department to implement the comprehensive,
770675

Amendment No.

324 statewide tobacco education and use prevention program. Each
325 county health department shall prominently display in all
326 treatment rooms and waiting rooms, counter-marketing and
327 advertisement materials in the form of wall posters, brochures,
328 television advertising if televisions are used in the lobby or
329 waiting room, and screensavers and Internet advertising if
330 computer kiosks are available for use or viewing by people at
331 the county health department.

332 (h) *Enforcement and awareness of related laws.*--In
333 coordination with the Department of Business and Professional
334 Regulation, the program shall monitor the enforcement of laws,
335 rules, and policies prohibiting the sale or other provision of
336 tobacco to minors, as well as the continued enforcement of the
337 Clean Indoor Air Act prescribed in chapter 386. The
338 advertisements produced in accordance with paragraph (b)
339 ~~paragraph (a)~~ may also include information designed to make the
340 public aware of these related laws and rules. The departments
341 may enter into interagency agreements to carry out this program
342 component.

343 ~~(i) *AHEC smoking cessation initiative.* For the 2007-2008~~
344 ~~and 2008-2009 fiscal years only, the AHEC network shall expand~~
345 ~~the AHEC smoking cessation initiative to each county within the~~
346 ~~state and perform other activities as determined by the~~
347 ~~department.~~

348 (4) ADVISORY COUNCIL; MEMBERS, APPOINTMENTS, AND
349 MEETINGS.--The Tobacco Education and Use Prevention Advisory
350 Council is created within the department.

351 (a) The council shall consist of 23 members, including:
770675

Amendment No.

- 352 1. The State Surgeon General, who shall serve as the
353 chairperson.
- 354 2. One county health department director, appointed by the
355 State Surgeon General.
- 356 3. Two members appointed by the Commissioner of Education,
357 of whom one must be a school district superintendent.
- 358 4. The chief executive officer of the Florida Division of
359 the American Cancer Society, or his or her designee.
- 360 5. The chief executive officer of the Greater Southeast
361 Affiliate of the American Heart Association, or his or her
362 designee.
- 363 6. The chief executive officer of the American Lung
364 Association of Florida, or his or her designee.
- 365 7. The dean of the University of Miami School of Medicine,
366 or his or her designee.
- 367 8. The dean of the University of Florida College of
368 Medicine, or his or her designee.
- 369 9. The dean of the University of South Florida College of
370 Medicine, or his or her designee.
- 371 10. The dean of the Florida State University College of
372 Medicine, or his or her designee.
- 373 11. The dean of Nova Southeastern College of Osteopathic
374 Medicine, or his or her designee.
- 375 12. The dean of the Lake Erie College of Osteopathic
376 Medicine in Bradenton, Florida, or his or her designee.
- 377 13. The chief executive officer of the Campaign for
378 Tobacco Free Kids, or his or her designee.

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

379 14. The chief executive officer of the Legacy Foundation,
380 or his or her designee.

381 15. Four members appointed by the Governor, of whom two
382 must have expertise in the field of tobacco-use prevention and
383 education or smoking cessation and one individual who shall be
384 between the ages of 16 and 21 at the time of his or her
385 appointment.

386 16. Two members appointed by the President of the Senate,
387 of whom one must have expertise in the field of tobacco-use
388 prevention and education or smoking cessation.

389 17. Two members appointed by the Speaker of the House of
390 Representatives, of whom one must have expertise in the field of
391 tobacco-use prevention and education or smoking cessation.

392 (b) The appointments shall be for 3-year terms and shall
393 reflect the diversity of the state's population. A vacancy shall
394 be filled by appointment by the original appointing authority
395 for the unexpired portion of the term.

396 (c) An appointed member may not serve more than two
397 consecutive terms.

398 (d) The council shall meet at least quarterly and upon the
399 call of the chairperson. Meetings may be held via teleconference
400 or other electronic means.

401 (e) Members of the council shall serve without
402 compensation, but are entitled to reimbursement for per diem and
403 travel expenses pursuant to s. 112.061. Members who are state
404 officers or employees or who are appointed by state officers or
405 employees shall be reimbursed for per diem and travel expenses

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

406 pursuant to s. 112.061 from the state agency through which they
407 serve.

408 (f) The council shall adhere to all state ethics laws.
409 Meetings of the council and the review panels are subject to
410 chapter 119, s. 286.011, and s. 24, Art. I of the State
411 Constitution. ~~The department shall provide council members with~~
412 ~~information and other assistance as is reasonably necessary to~~
413 ~~assist the council in carrying out its responsibilities.~~

414 (5) COUNCIL DUTIES AND RESPONSIBILITIES.--The council
415 shall advise the State Surgeon General as to the direction and
416 scope of the Comprehensive Statewide Tobacco Education and Use
417 Prevention Program. The responsibilities of the council may
418 include, but are not limited to:

419 (a) Providing advice on program priorities and emphases.

420 (b) Providing advice on the overall program budget.

421 (c) Providing advice on copyrighted material, trademark,
422 and future transactions as they pertain to the tobacco education
423 and use prevention program.

424 (d) Reviewing, as requested by the department, broadcast
425 material prepared for the Internet, portable media players,
426 radio, and television advertisement ~~as it relates to the~~
427 ~~advertising component of the tobacco education and use~~
428 ~~prevention program.~~

429 (e) Participating in periodic program evaluation, as
430 requested by the department.

431 (f) Assisting the department in developing ~~the development~~
432 ~~of~~ guidelines to ensure fairness, neutrality, and adherence to

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

433 the principles of merit and quality in the conduct of the
434 program.

435 (g) Assisting the department in developing ~~the development~~
436 ~~of~~ administrative procedures relating to solicitation, review,
437 and award of contracts and grants in order to ensure an
438 impartial, high-quality peer review system.

439 (h) Assisting the department in developing panels to
440 review and evaluate potential fund recipients ~~the development~~
441 ~~and supervision of peer review panels.~~

442 (i) Assisting the department in reviewing reports of peer
443 review panels and making recommendations for funding allocations
444 ~~contracts and grants.~~

445 (j) Assisting the department in reviewing the activities
446 and ~~evaluating~~ the performance of the AHEC network to avoid
447 duplicative efforts using state funds.

448 (k) Recommending specific measureable outcomes ~~meaningful~~
449 ~~outcome measures~~ through a regular review of evidence-based and
450 promising tobacco-use prevention and education strategies and
451 programs of other states and the Federal Government.

452 (l) Recommending policies to encourage a coordinated
453 response to tobacco use in this state, focusing specifically on
454 creating partnerships within and between the public and private
455 sectors.

456 (6) CONTRACT REQUIREMENTS.--Contracts or grants for the
457 program components or subcomponents described in paragraphs
458 (3) (a)-(f) shall be awarded by the State Surgeon General, after
459 consultation with the council, on the basis of merit, as
460 determined by an open, competitive, peer-reviewed process that
770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

461 ensures objectivity, consistency, and high quality. The
462 department shall award such grants or contracts no later than
463 October 1 for each fiscal year. A recipient of a contract or
464 grant for the program component described in paragraph (3) (d)
465 ~~(3) (e)~~ is not eligible for a contract or grant award for any
466 other program component described in subsection (3) in the same
467 state fiscal year. ~~A school or college of medicine that is~~
468 ~~represented on the council is not eligible to receive a contract~~
469 ~~or grant under this section. For the 2007-2008 and 2008-2009~~
470 ~~fiscal years only, the department shall award a contract or~~
471 ~~grant in the amount of \$10 million to the AHEC network for the~~
472 ~~purpose of developing the components described in paragraph~~
473 ~~(3) (i).~~ The AHEC network may apply for a competitive contract or
474 grant after the 2008-2009 fiscal year.

475 (a) In order to ensure that all proposals for funding are
476 appropriate and are evaluated fairly on the basis of merit, the
477 State Surgeon General, in consultation with the council, shall
478 appoint a ~~peer~~ review panel of independent, qualified experts in
479 the field of tobacco control to review the content of each
480 proposal and establish its priority score. The priority scores
481 shall be forwarded to the council and must be considered in
482 determining which proposals will be recommended for funding.

483 (b) The council and the ~~peer~~ review panel shall establish
484 and follow rigorous guidelines for ethical conduct and adhere to
485 a strict policy with regard to conflicts of interest. Council
486 members are subject to the applicable provisions of chapter 112.

487 ~~A member of the council or panel may not participate in any~~
488 ~~discussion or decision with respect to a research proposal by~~

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

489 ~~any firm, entity, or agency with which the member is associated~~
490 ~~as a member of the governing body or as an employee or with~~
491 ~~which the member has entered into a contractual arrangement.~~
492 ~~Meetings of the council and the peer review panels are subject~~
493 ~~to chapter 119, s. 286.011, and s. 24, Art. I of the State~~
494 ~~Constitution.~~

495 (c) In each contract or grant agreement, the department
496 shall limit the use of food and promotional items to no more
497 than 2.5 percent of the total amount of the contract or grant
498 and limit overhead or indirect costs to no more than 7.5 percent
499 of the total amount of the contract or grant. The department, in
500 consultation with the Department of Financial Services, shall
501 publish guidelines for appropriate food and promotional items.

502 (d) In each advertising contract, the department shall
503 limit the total of production fees, buyer commissions, and
504 related costs to no more than 10 percent of the total contract
505 amount.

506 (e) Notwithstanding the competitive process for contracts
507 prescribed in this subsection, each county health department is
508 eligible for core funding, on a per capita basis, to implement
509 tobacco education and use prevention activities within that
510 county.

511 (7) ANNUAL REPORT REQUIRED.--By February 28 ~~January 31~~ of
512 each year, the department shall provide to the Governor, the
513 President of the Senate, and the Speaker of the House of
514 Representatives a report that evaluates the program's
515 effectiveness in reducing and preventing tobacco use and that
516 recommends improvements to enhance the program's effectiveness.

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

517 The report must contain, at a minimum, an annual survey of youth
518 attitudes and behavior toward tobacco, as well as a description
519 of the progress in reducing the prevalence of tobacco use among
520 youth, adults, and pregnant women; reducing per capita tobacco
521 consumption; and reducing exposure to environmental tobacco
522 smoke.

523 (8) LIMITATION ON ADMINISTRATIVE EXPENSES.--From the total
524 funds appropriated for the Comprehensive Statewide Tobacco
525 Education and Use Prevention Program in the General
526 Appropriations Act, an amount of up to 5 percent may be used by
527 the department for administrative expenses.

528 ~~(9) RULEMAKING AUTHORIZED. By January 1, 2008, the~~
529 ~~department shall adopt rules pursuant to ss. 120.536(1) and~~
530 ~~120.54 to administer this section.~~

531 Section 7. Section 381.91, Florida Statutes, is
532 transferred and renumbered as section 385.2024, Florida
533 Statutes, to read:

534 385.2024 ~~381.91~~ Jessie Trice Cancer Prevention Program.--

535 (1) It is the intent of the Legislature to:

536 (a) Reduce the rates of illness and death from lung cancer
537 and other cancers and improve the quality of life among low-
538 income African-American and Hispanic populations through
539 increased access to early, effective screening and diagnosis,
540 education, and treatment programs.

541 (b) Create a community faith-based disease-prevention
542 program in conjunction with the Health Choice Network and other
543 community health centers to build upon the natural referral and

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

544 education networks in place within minority communities and to
545 increase access to health service delivery in Florida.

546 (c) Establish a funding source to build upon local private
547 participation to sustain the operation of the program.

548 (2) (a) There is created the Jessie Trice Cancer Prevention
549 Program, to be located, for administrative purposes, within the
550 Department of Health, and operated from the community health
551 centers within the Health Choice Network in Florida.

552 (b) Funding may be provided to develop contracts with
553 community health centers and local community faith-based
554 education programs to provide cancer screening, diagnosis,
555 education, and treatment services to low-income populations
556 throughout the state.

557 Section 8. Section 381.911, Florida Statutes, is
558 transferred, renumbered as section 385.2023, Florida Statutes,
559 and amended to read:

560 385.2023 ~~381.911~~ Prostate Cancer Awareness Program.--

561 (1) To the extent that funds are specifically made
562 available for this purpose, the Prostate Cancer Awareness
563 Program is established within the Department of Health. The
564 purpose of this program is to implement the recommendations of
565 January 2000 of the Florida Prostate Cancer Task Force to
566 provide for statewide outreach and health education activities
567 to ensure that men are aware of and appropriately seek medical
568 counseling for prostate cancer as an early-detection health care
569 measure.

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

570 (2) For purposes of implementing the program, the
571 Department of Health and the Florida Public Health Foundation,
572 Inc., may:

573 (a) Conduct activities directly or enter into a contract
574 with a qualified nonprofit community education entity.

575 (b) Seek any available gifts, grants, or funds from the
576 state, the Federal Government, philanthropic foundations, and
577 industry or business groups.

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

581 (a) The State Surgeon General shall appoint the advisory
582 committee members, who shall consist of:

583 1. Three persons from prostate cancer survivor groups or
584 cancer-related advocacy groups.

585 2. Three persons who are scientists or clinicians from
586 public or nonpublic universities or research organizations.

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

590 (b) Members shall serve without compensation but are
591 entitled to reimbursement, pursuant to s. 112.061, for per diem
592 and travel expenses incurred in the performance of their
593 official duties.

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

596 Section 9. Section 381.912, Florida Statutes, is repealed.

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

597 Section 10. Section 381.92, Florida Statutes, is
598 transferred and renumbered as section 385.2025, Florida
599 Statutes, to read:

600 385.2025 ~~381.92~~ Florida Cancer Council.--

601 (1) Effective July 1, 2004, the Florida Cancer Council
602 within the Department of Health is established for the purpose
603 of making the state a center of excellence for cancer research.

604 (2) (a) The council shall be representative of the state's
605 cancer centers, hospitals, and patient groups and shall be
606 organized and shall operate in accordance with this act.

607 (b) The Florida Cancer Council may create not-for-profit
608 corporate subsidiaries to fulfill its mission. The council and
609 its subsidiaries are authorized to receive, hold, invest, and
610 administer property and any moneys acquired from private, local,
611 state, and federal sources, as well as technical and
612 professional income generated or derived from the mission-
613 related activities of the council.

614 (c) The members of the council shall consist of:

615 1. The chair of the Florida Dialogue on Cancer, who shall
616 serve as the chair of the council;

617 2. The State Surgeon General or his or her designee;

618 3. The chief executive officer of the H. Lee Moffitt
619 Cancer Center or his or her designee;

620 4. The director of the University of Florida Shands Cancer
621 Center or his or her designee;

622 5. The chief executive officer of the University of Miami
623 Sylvester Comprehensive Cancer Center or his or her designee;

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

- 624 6. The chief executive officer of the Mayo Clinic,
625 Jacksonville, or his or her designee;
- 626 7. The chief executive officer of the American Cancer
627 Society, Florida Division, Inc., or his or her designee;
- 628 8. The president of the American Cancer Society, Florida
629 Division, Inc., Board of Directors or his or her designee;
- 630 9. The president of the Florida Society of Clinical
631 Oncology or his or her designee;
- 632 10. The president of the American College of Surgeons,
633 Florida Chapter, or his or her designee;
- 634 11. The chief executive officer of Enterprise Florida,
635 Inc., or his or her designee;
- 636 12. Five representatives from cancer programs approved by
637 the American College of Surgeons. Three shall be appointed by
638 the Governor, one shall be appointed by the Speaker of the House
639 of Representatives, and one shall be appointed by the President
640 of the Senate;
- 641 13. One member of the House of Representatives, to be
642 appointed by the Speaker of the House of Representatives; and
- 643 14. One member of the Senate, to be appointed by the
644 President of the Senate.
- 645 (d) Appointments made by the Speaker of the House of
646 Representatives and the President of the Senate pursuant to
647 paragraph (c) shall be for 2-year terms, concurrent with the
648 bienniums in which they serve as presiding officers.
- 649 (e) Appointments made by the Governor pursuant to
650 paragraph (c) shall be for 2-year terms, although the Governor
651 may reappoint members.

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

652 (f) Members of the council or any subsidiaries shall serve
653 without compensation, and each organization represented on the
654 council shall cover the expenses of its representatives.

655 (3) The council shall issue an annual report to the Center
656 for Universal Research to Eradicate Disease, the Governor, the
657 Speaker of the House of Representatives, and the President of
658 the Senate by December 15 of each year, with policy and funding
659 recommendations regarding cancer research capacity in Florida
660 and related issues.

661 Section 11. Section 381.921, Florida Statutes, is
662 transferred and renumbered as section 385.20251, Florida
663 Statutes, to read:

664 385.20251 ~~381.921~~ Florida Cancer Council mission and
665 duties.--The council, which shall work in concert with the
666 Florida Center for Universal Research to Eradicate Disease to
667 ensure that the goals of the center are advanced, shall endeavor
668 to dramatically improve cancer research and treatment in this
669 state through:

670 (1) Efforts to significantly expand cancer research
671 capacity in the state by:

672 (a) Identifying ways to attract new research talent and
673 attendant national grant-producing researchers to cancer
674 research facilities in this state;

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

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

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

681 (d) Encouraging the employment of bioinformatics in order
682 to create a cancer informatics infrastructure that enhances
683 information and resource exchange and integration through
684 researchers working in diverse disciplines, to facilitate the
685 full spectrum of cancer investigations;

686 (e) Facilitating the technical coordination, business
687 development, and support of intellectual property as it relates
688 to the advancement of cancer research; and

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

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

693 (a) Identifying ways to increase adult enrollment in
694 cancer clinical trials;

695 (b) Supporting public and private professional education
696 programs designed to increase the awareness and knowledge about
697 cancer clinical trials;

698 (c) Providing tools to cancer patients and community-based
699 oncologists to aid in the identification of cancer clinical
700 trials available in the state; and

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

704 (3) Efforts to reduce the impact of cancer on disparate
705 groups by:

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

706 (a) Identifying those cancers that disproportionately
707 impact certain demographic groups; and

708 (b) Building collaborations designed to reduce health
709 disparities as they relate to cancer.

710 Section 12. Paragraph (a) of subsection (2) and subsection
711 (5) of section 381.922, Florida Statutes, as amended by section
712 2 of chapter 2009-5, Laws of Florida, is amended to read:

713 381.922 William G. "Bill" Bankhead, Jr., and David Coley
714 Cancer Research Program.--

715 (2) The program shall provide grants for cancer research
716 to further the search for cures for cancer.

717 (a) Emphasis shall be given to the goals enumerated in s.
718 385.20251 ~~s. 381.921~~, as those goals support the advancement of
719 such cures.

720 (5) For the 2008-2009 fiscal year and each fiscal year
721 thereafter, the sum of \$6.75 million is appropriated annually
722 from recurring funds in the General Revenue Fund to the
723 Biomedical Research Trust Fund within the Department of Health
724 for purposes of the William G. "Bill" Bankhead, Jr., and David
725 Coley Cancer Research Program and shall be distributed pursuant
726 to this section to provide grants to researchers seeking cures
727 for cancer, with emphasis given to the goals enumerated in s.
728 385.20251 ~~s. 381.921~~. From the total funds appropriated, an
729 amount of up to 10 percent may be used for administrative
730 expenses.

731 Section 13. Section 381.93, Florida Statutes, is
732 transferred and renumbered as section 385.2021, Florida
733 Statutes, to read:

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

734 385.2021 ~~381.93~~ Breast and cervical cancer early detection
735 program.--This section may be cited as the "Mary Brogan Breast
736 and Cervical Cancer Early Detection Program Act."

737 (1) It is the intent of the Legislature to reduce the
738 rates of death due to breast and cervical cancer through early
739 diagnosis and increased access to early screening, diagnosis,
740 and treatment programs.

741 (2) The Department of Health, using available federal
742 funds and state funds appropriated for that purpose, is
743 authorized to establish the Mary Brogan Breast and Cervical
744 Cancer Screening and Early Detection Program to provide
745 screening, diagnosis, evaluation, treatment, case management,
746 and followup and referral to the Agency for Health Care
747 Administration for coverage of treatment services.

748 (3) The Mary Brogan Breast and Cervical Cancer Early
749 Detection Program shall be funded through grants for such
750 screening and early detection purposes from the federal Centers
751 for Disease Control and Prevention under Title XV of the Public
752 Health Service Act, 42 U.S.C. ss. 300k et seq.

753 (4) The department shall limit enrollment in the program
754 to persons with incomes up to and including 200 percent of the
755 federal poverty level. The department shall establish an
756 eligibility process that includes an income-verification process
757 to ensure that persons served under the program meet income
758 guidelines.

759 (5) The department may provide other breast and cervical
760 cancer screening and diagnostic services; however, such services
761 shall be funded separately through other sources than this act.

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

762 Section 14. Section 381.931, Florida Statutes, is
763 transferred and renumbered as section 385.20211, Florida
764 Statutes, to read:

765 385.20211 ~~381.931~~ Annual report on Medicaid
766 expenditures.--The Department of Health and the Agency for
767 Health Care Administration shall monitor the total Medicaid
768 expenditures for services made under this act. If Medicaid
769 expenditures are projected to exceed the amount appropriated by
770 the Legislature, the Department of Health shall limit the number
771 of screenings to ensure Medicaid expenditures do not exceed the
772 amount appropriated. The Department of Health, in cooperation
773 with the Agency for Health Care Administration, shall prepare an
774 annual report that must include the number of women screened;
775 the percentage of positive and negative outcomes; the number of
776 referrals to Medicaid and other providers for treatment
777 services; the estimated number of women who are not screened or
778 not served by Medicaid due to funding limitations, if any; the
779 cost of Medicaid treatment services; and the estimated cost of
780 treatment services for women who were not screened or referred
781 for treatment due to funding limitations. The report shall be
782 submitted to the President of the Senate, the Speaker of the
783 House of Representatives, and the Executive Office of the
784 Governor by March 1 of each year.

785 Section 15. Chapter 385, Florida Statutes, entitled
786 "Chronic Diseases," is renamed the "Healthy and Fit Florida
787 Act."

788 Section 16. Section 385.101, Florida Statutes, is amended
789 to read:

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

790 385.101 Short title.--~~This chapter Sections 385.101-~~
791 ~~385.103~~ may be cited as the "Healthy and Fit Florida Chronic
792 Diseases Act."

793 Section 17. Section 385.102, Florida Statutes, is amended
794 to read:

795 385.102 Legislative intent.--It is the finding of the
796 Legislature that:

797 (1) Chronic diseases continue to be the leading cause of
798 death and disability in this state and the country ~~exist in high~~
799 ~~proportions among the people of this state.~~ These Chronic
800 diseases include, but are not limited to, arthritis,
801 cardiovascular disease ~~heart disease,~~ hypertension, diabetes,
802 renal disease, cancer, and ~~chronic obstructive~~ lung disease.
803 These diseases ~~are~~ often have the same preventable risk factors
804 ~~interrelated,~~ and ~~they directly and indirectly~~ account for a
805 high rate of death, disability, and underlying costs to the
806 state's health care system ~~illness.~~

807 (2) Chronic diseases have a significant impact on quality
808 of life, not only for the individuals who experience their
809 painful symptoms and resulting disabilities, but also for family
810 members and caregivers.

811 (3) Racial and ethnic minorities and other underserved
812 populations are disproportionately affected by chronic diseases.

813 (4) There are enormous medical costs and lost wages
814 associated with chronic diseases and their complications.

815 (5)~~(2)~~ Advances in medical knowledge and technology assist
816 have assisted in the prevention, detection, and management of
817 chronic diseases. Comprehensive approaches that stress the

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

818 ~~stressing~~ application of current medical treatment, continuing
819 research, professional training, ~~and~~ patient education, and
820 community-level policy and environmental changes should be
821 implemented ~~encouraged~~.

822 ~~(6)(3) A comprehensive program dealing with the early~~
823 ~~detection and prevention of chronic diseases is required to make~~
824 ~~knowledge and therapy available to all people of this state. The~~
825 ~~mobilization of scientific, medical, and educational resources,~~
826 along with the implementation of community-based policy under
827 one comprehensive chronic disease law, ~~act~~ will facilitate the
828 prevention, early intervention, and management ~~treatment~~ of
829 chronic ~~these~~ diseases and their symptoms. This integration of
830 resources and policy will ~~and~~ result in a decline in death and
831 disability ~~illness~~ among the people of this state.

832 (7) Chronic diseases account for 70 percent of all deaths
833 in the United States. The following chronic diseases are the
834 leading causes of death and disability:

835 (a) Heart disease and stroke, which have remained the
836 first and third leading causes of death for both men and women
837 in the United States for over seven decades and account for
838 approximately one-third of total deaths each year in this state.

839 (b) Cancer, which is the second leading cause of death and
840 is responsible for one in four deaths in this state.

841 (c) Lung disease, which is the third leading cause of
842 death and accounts for one in every six deaths in this state.

843 (d) Diabetes, which is the sixth leading cause of death in
844 this state.

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

845 (e) Arthritis, which is the leading cause of disability in
846 the United States, limiting daily activities for more than 19
847 million citizens. In this state, arthritis limits daily
848 activities for an estimated 1.3 million people.

849 (8) The department shall establish, promote, and maintain
850 state-level and local-level programs for chronic disease
851 prevention and health promotion to the extent that funds are
852 specifically made available for this purpose.

853 Section 18. Section 385.1021, Florida Statutes, is created
854 to read:

855 385.1021 Definitions.--As used in this chapter, the term:

856 (1) "CDC" means the United States Centers for Disease
857 Control and Prevention.

858 (2) "Chronic disease" means an illness that is prolonged,
859 does not resolve spontaneously, and is rarely cured completely.

860 (3) "Department" means the Department of Health.

861 (4) "Environmental changes" means changes to the economic,
862 social, or physical natural or built environments which
863 encourage or enable behaviors.

864 (5) "Policy change" means altering an informal or formal
865 agreement between public or private sectors which sets forth
866 values, behaviors, or resource allocation in order to improve
867 health.

868 (6) "Primary prevention" means an intervention that is
869 directed toward healthy populations and focuses on avoiding
870 disease before it occurs.

871 (7) "Risk factor" means a characteristic or condition
872 identified during the course of an epidemiological study of a

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

873 disease that appears to be statistically associated with a high
874 incidence of that disease.

875 (8) "Secondary prevention" means an intervention that is
876 designed to promote the early detection and management of
877 diseases and reduce the risks experienced by at-risk
878 populations.

879 (9) "System changes" means altering standard activities,
880 protocols, policies, processes, and structures carried out in
881 population-based settings, such as schools, worksites, health
882 care facilities, faith-based organizations, and the overall
883 community, which promote and support new behaviors.

884 (10) "Tertiary prevention" means an intervention that is
885 directed at rehabilitating and minimizing the effects of disease
886 in a chronically ill population.

887 (11) "Tobacco" means, without limitation, tobacco itself
888 and tobacco products that include tobacco and are intended or
889 expected for human use or consumption, including, but not
890 limited to, cigarettes, cigars, pipe tobacco, and smokeless
891 tobacco.

892 (12) "Wellness program" means a structured program that is
893 designed or approved by the department to offer intervention
894 activities on or off the worksite which help state employees
895 change certain behaviors or adopt healthy lifestyles.

896 (13) "Youth" means children and young adults, up through
897 24 years of age, inclusive.

898 Section 19. Section 385.1022, Florida Statutes, is created
899 to read:

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

900 385.1022 Chronic disease prevention program.--The
901 department shall support public health programs to reduce the
902 incidence of mortality and morbidity from diseases for which
903 risk factors can be identified. Such risk factors include, but
904 are not limited to, being overweight or obese, physical
905 inactivity, poor nutrition and diet, tobacco use, sun exposure,
906 and other practices that are detrimental to health. The programs
907 shall educate and screen the general public as well as groups at
908 particularly high risk of chronic diseases.

909 Section 20. Section 385.1023, Florida Statutes, is created
910 to read:

911 385.1023 State-level prevention programs for chronic
912 disease.--

913 (1) The department shall create state-level programs that
914 address the leading, preventable chronic disease risk factors of
915 poor nutrition and obesity, tobacco use, sun exposure, and
916 physical inactivity in order to decrease the incidence of
917 arthritis, cancer, diabetes, heart disease, lung disease,
918 stroke, and other chronic diseases.

919 (2) State-level programs shall address, but need not be
920 limited to, the following activities:

921 (a) Monitoring specific causal and behavioral risk factors
922 that affect the health of residents in the state.

923 (b) Analyzing data regarding chronic disease mortality and
924 morbidity to track changes over time.

925 (c) Promoting public awareness and increasing knowledge
926 concerning the causes of chronic diseases, the importance of

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

927 early detection, diagnosis, and appropriate evidence-based
928 prevention, management, and treatment strategies.

929 (d) Disseminating educational materials and information
930 concerning evidence-based results, available services, and
931 pertinent new research findings and prevention strategies to
932 patients, health insurers, health professionals, and the public.

933 (e) Using education and training resources and services
934 developed by organizations having appropriate expertise and
935 knowledge of chronic diseases for technical assistance.

936 (f) Evaluating the quality and accessibility of existing
937 community-based services for chronic disease.

938 (g) Increasing awareness among state and local officials
939 involved in health and human services, health professionals and
940 providers, and policymakers about evidence-based chronic-disease
941 prevention, tobacco cessation, and treatment strategies and
942 their benefits for people who have chronic diseases.

943 (h) Developing a partnership with state and local
944 governments, voluntary health organizations, hospitals, health
945 insurers, universities, medical centers, employer groups,
946 private companies, and health care providers to address the
947 burden of chronic disease in this state.

948 (i) Implementing and coordinating state-level policies in
949 order to reduce the burden of chronic disease.

950 (j) Providing lasting improvements in the delivery of
951 health care for individuals who have chronic disease and their
952 families, thus improving their quality of life while also
953 containing health care costs.

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

954 Section 21. Section 385.103, Florida Statutes, is amended
955 to read:

956 385.103 Community-level ~~Community intervention~~ programs
957 for chronic disease prevention and health promotion.--

958 (1) DEFINITIONS.--As used in this section, the term:

959 (a) "Chronic disease prevention and health promotion
960 ~~control~~ program" means a program that may include, but is not
961 limited to, including a combination of the following elements:

962 1. Staff who are sufficiently trained and skilled in
963 public health, community health, or school health education to
964 facilitate the operation of the program ~~Health screening;~~

965 2. Community input into the planning, implementation, and
966 evaluation processes ~~Risk factor detection;~~

967 3. Use of public health data to make decisions and to
968 develop and prioritize community-based interventions focusing on
969 chronic diseases and their risk factors; ~~Appropriate~~
970 ~~intervention to enable and encourage changes in behaviors that~~
971 ~~create health risks; and~~

972 4. Adherence to a population-based approach by using a
973 socioecological model that addresses the influence on individual
974 behavior, interpersonal behavior, organizational behavior, the
975 community, and public policy; ~~Counseling in nutrition, physical~~
976 ~~activity, the effects of tobacco use, hypertension, blood~~
977 ~~pressure control, and diabetes control and the provision of~~
978 ~~other clinical prevention services.~~

979 5. Focus on at least the common preventable risk factors
980 for chronic disease, such as physical inactivity, obesity, poor
981 nutrition, and tobacco use;

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

982 6. Focus on developing and implementing interventions and
983 activities through communities, schools, worksites, faith-based
984 organizations, and health-care settings;

985 7. Use of evidence-based interventions as well as best and
986 promising practices to guide specific activities and effect
987 change, which may include guidelines developed by organizations,
988 volunteer scientists, and health care professionals who write
989 published medical, scientific statements on various chronic
990 disease topics. The statements shall be supported by scientific
991 studies published in recognized journals that have a rigorous
992 review and approval process. Scientific statements generally
993 include a review of data available on a specific subject and an
994 evaluation of its relationship to overall chronic disease
995 science;

996 8. Use of policy, system, and environmental changes that
997 support healthy behaviors so as to affect large segments of the
998 population and encourage healthy choices;

999 9. Development of extensive and comprehensive evaluation
1000 that is linked to program planning at the state level and the
1001 community level in order to determine the program's
1002 effectiveness or necessary program modifications; and

1003 10. Reduction of duplication of efforts through
1004 coordination among appropriate entities for the efficient use of
1005 resources.

1006 (b) ~~"Community~~ Health education program" means a program
1007 that follows involving the planned and coordinated use of ~~the~~
1008 educational standards and teaching methods ~~resources available~~
1009 ~~in a community~~ in an effort to provide:

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

1010 1. Appropriate medical, research-based interventions to
1011 enable and encourage changes in behaviors which reduce or
1012 eliminate health risks;

1013 2. Counseling in nutrition, weight management, physical
1014 inactivity, and tobacco-use prevention and cessation strategies;
1015 hypertension, blood pressure, high cholesterol, and diabetes
1016 control; and other clinical prevention services;

1017 3.1. Motivation and assistance to individuals or groups in
1018 adopting and maintaining ~~Motivate and assist citizens to adopt~~
1019 ~~and maintain~~ healthful practices and lifestyles; and

1020 4.2. Make available Learning opportunities that ~~which~~ will
1021 increase the ability of people to make informed decisions
1022 affecting their personal, family, and community well-being and
1023 that ~~which~~ are designed to facilitate ~~voluntary~~ adoption of
1024 behavior that ~~which~~ will improve or maintain health.†

1025 ~~3. Reduce, through coordination among appropriate~~
1026 ~~agencies, duplication of health education efforts; and~~

1027 ~~4. Facilitate collaboration among appropriate agencies for~~
1028 ~~efficient use of scarce resources.~~

1029 (c) "Community intervention program" means a program
1030 combining the required elements of a chronic disease prevention
1031 and health promotion control program and the principles of a
1032 ~~community~~ health education program that addresses system,
1033 policy, and environmental changes that ensure that communities
1034 provide support for healthy lifestyles ~~into a unified program~~
1035 ~~over which a single administrative entity has authority and~~
1036 ~~responsibility.~~

1037 ~~(d) "Department" means the Department of Health.~~

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

1038 ~~(c) "Risk factor" means a factor identified during the~~
1039 ~~course of an epidemiological study of a disease, which factor~~
1040 ~~appears to be statistically associated with a high incidence of~~
1041 ~~that disease.~~

1042 (2) OPERATION OF COMMUNITY-LEVEL COMMUNITY INTERVENTION
1043 PROGRAMS FOR CHRONIC DISEASE PREVENTION AND HEALTH PROMOTION.--

1044 (a) The department shall develop and implement a
1045 comprehensive, community-based program for chronic disease
1046 prevention and health promotion. The program shall be designed
1047 to reduce major behavioral risk factors that are associated with
1048 chronic diseases by enhancing the knowledge, skills, motivation,
1049 and opportunities for individuals, organizations, health care
1050 providers, small businesses, health insurers, and communities to
1051 develop and maintain healthy lifestyles. The department shall
1052 assist the county health departments in developing and operating
1053 community intervention programs throughout the state. At a
1054 minimum, the community intervention programs shall address one
1055 to three of the following chronic diseases: cancer, diabetes,
1056 heart disease, stroke, hypertension, renal disease, and chronic
1057 obstructive lung disease.

1058 (b) The program shall include:

- 1059 1. Countywide assessments of specific, causal, and
1060 behavioral risk factors that affect the health of residents;
1061 2. The development of community-based programs for chronic
1062 disease prevention and health promotion which incorporate health
1063 promotion and preventive care practices that are supported in
1064 scientific and medical literature;

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

1065 3. The development and implementation of statewide age-
1066 specific, disease-specific, and community-specific health
1067 promotion and preventive care strategies using primary,
1068 secondary, and tertiary prevention interventions;

1069 4. The promotion of community, research-based health-
1070 promotion model programs that meet specific criteria, address
1071 major risk factors, and motivate individuals to permanently
1072 adopt healthy behaviors and increase social and personal
1073 responsibilities;

1074 5. The development of policies that encourage the use of
1075 alternative community delivery sites for health promotion,
1076 disease prevention, and preventive care programs and promote the
1077 use of neighborhood delivery sites that are close to work, home,
1078 and school; and

1079 6. An emphasis on the importance of healthy and physically
1080 active lifestyles to build self-esteem and reduce morbidity and
1081 mortality associated with chronic disease and being overweight
1082 or obese. Existing community resources, when available, shall be
1083 used to support the programs. The department shall seek funding
1084 for the programs from federal and state financial assistance
1085 programs which presently exist or which may be hereafter
1086 created. Additional services, as appropriate, may be
1087 incorporated into a program to the extent that resources are
1088 available. The department may accept gifts and grants in order
1089 to carry out a program.

1090 ~~(c) Volunteers shall be used to the maximum extent~~
1091 ~~possible in carrying out the programs. The department shall~~
1092 ~~contract for the necessary insurance coverage to protect~~

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

1093 ~~volunteers from personal liability while acting within the scope~~
1094 ~~of their volunteer assignments under a program.~~

1095 ~~(d) The department may contract for the provision of all~~
1096 ~~or any portion of the services required by a program, and shall~~
1097 ~~so contract whenever the services so provided are more cost-~~
1098 ~~efficient than those provided by the department.~~

1099 ~~(e) If the department determines that it is necessary for~~
1100 ~~clients to help pay for services provided by a program, the~~
1101 ~~department may require clients to make contribution therefor in~~
1102 ~~either money or personal services. The amount of money or value~~
1103 ~~of the personal services shall be fixed according to a fee~~
1104 ~~schedule established by the department or by the entity~~
1105 ~~developing the program. In establishing the fee schedule, the~~
1106 ~~department or the entity developing the program shall take into~~
1107 ~~account the expenses and resources of a client and his or her~~
1108 ~~overall ability to pay for the services.~~

1109 Section 22. Section 385.105, Florida Statutes, is created
1110 to read:

1111 385.105 Physical activity, obesity prevention, nutrition,
1112 other health-promotion services, and wellness programs.--

1113 (1) PHYSICAL ACTIVITY.--

1114 (a) The department shall develop programs for people at
1115 every stage of their lives to increase physical fitness and
1116 promote behavior changes.

1117 (b) The department shall work with school health advisory
1118 or wellness committees in each school district as established in
1119 s. 381.0056.

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

1120 (c) The department shall develop public and private
1121 partnerships that allow the public to easily access recreational
1122 facilities and public land areas that are suitable for physical
1123 activity.

1124 (d) The department shall work in collaboration with the
1125 Executive Office of the Governor and Volunteer Florida, Inc., to
1126 promote school initiatives, such as the Governor's Fitness
1127 Challenge.

1128 (e) The department shall collaborate with the Department
1129 of Education in recognizing nationally accepted best practices
1130 for improving physical education in schools.

1131 (2) OBESITY PREVENTION.--The department shall promote
1132 healthy lifestyles to reduce the prevalence of excess weight
1133 gain and being overweight or obese through programs that are
1134 directed towards all residents of this state by:

1135 (a) Using all appropriate media to promote maximum public
1136 awareness of the latest research on healthy lifestyles and
1137 chronic diseases and disseminating relevant information through
1138 a statewide clearinghouse relating to wellness, physical
1139 activity, and nutrition and the effect of these factors on
1140 chronic diseases and disabling conditions.

1141 (b) Providing technical assistance, training, and
1142 resources on healthy lifestyles and chronic diseases to the
1143 public, health care providers, school districts, and other
1144 persons or entities, including faith-based organizations that
1145 request such assistance to promote physical activity, nutrition,
1146 and healthy lifestyle programs.

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

1147 (c) Developing, implementing, and using all available
1148 research methods to collect data, including, but not limited to,
1149 population-specific data, and tracking the incidence and effects
1150 of weight gain, obesity, and related chronic diseases. The
1151 department shall include an evaluation and data-collection
1152 component in all programs, as appropriate. All research
1153 conducted under this paragraph is subject to review and approval
1154 as required by the department's institutional review board under
1155 s. 381.86.

1156 (d) Entering into partnerships with the Department of
1157 Education, local communities, school districts, and other
1158 entities to encourage schools in this state to promote
1159 activities during and after school to help students meet a
1160 minimum goal of 30 minutes of physical activity or physical
1161 fitness per day.

1162 (e) Entering into partnerships with the Department of
1163 Education, school districts, and the Florida Sports Foundation
1164 to develop a programs recognizing the schools at which students
1165 demonstrate excellent physical fitness or fitness improvement.

1166 (f) Collaborating with other state agencies to develop
1167 policies and strategies for preventing and treating obesity,
1168 which shall be incorporated into programs administered by each
1169 agency and shall include promoting healthy lifestyles of
1170 employees of each agency.

1171 (g) Advising, in accordance with s. 456.081, health care
1172 practitioners about the morbidity, mortality, and costs
1173 associated with being overweight or obese, informing such
1174 practitioners of promising clinical practices for preventing and

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

1175 treating obesity, and encouraging practitioners to counsel their
1176 patients regarding the adoption of healthy lifestyles.

1177 (h) Maximizing all local, state, and federal funding
1178 sources, including grants, public-private partnerships, and
1179 other mechanisms to strengthen the department's programs
1180 promoting physical activity and nutrition.

1181 (3) NUTRITION.--The department shall promote optimal
1182 nutritional status in all stages of people's lives by developing
1183 strategies to:

1184 (a) Promote and maintain optimal nutritional status in the
1185 population through activities, including, but not limited to:

1186 1. Nutrition screening and assessment and nutrition
1187 counseling, including nutrition therapy, followup, case
1188 management, and referrals for persons who have medical
1189 conditions or nutrition-risk factors and who are provided health
1190 services through public health programs or through referrals
1191 from private health care providers or facilities;

1192 2. Nutrition education to assist residents of the state in
1193 achieving optimal health and preventing chronic disease; and

1194 3. Consultative nutrition services to group facilities
1195 which promote the provision of safe and nutritionally adequate
1196 diets.

1197 (b) Monitor and conduct surveillance of the nutritional
1198 status of this state's population.

1199 (c) Conduct or support research or evaluations related to
1200 public health nutrition. All research conducted under this
1201 paragraph is subject to review and approval as required by the
1202 department's institutional review board under s. 381.86.

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

1203 (d) Establish policies and standards for public health
1204 nutrition practices.

1205 (e) Promote interagency cooperation, professional
1206 education, and consultation.

1207 (f) Provide technical assistance and advise state
1208 agencies, private institutions, and local organizations
1209 regarding public health nutrition standards.

1210 (g) Work with the Department of Agriculture and Consumer
1211 Services, the Department of Education, and the Department of
1212 Management Services to further the use of fresh produce from
1213 this state in schools and encourage the development of community
1214 gardens. Nutritional services shall be available to eligible
1215 persons in accordance with eligibility criteria adopted by the
1216 department. The department shall provide by rule requirements
1217 for the service fees, when applicable, which may not exceed the
1218 department's actual costs.

1219
1220 The department may adopt rules to administer this subsection.

1221 (4) OTHER HEALTH-PROMOTION SERVICES.--

1222 (a) The department shall promote personal responsibility
1223 by encouraging residents of this state to be informed, follow
1224 health recommendations, seek medical consultations and health
1225 assessments, take healthy precautions, and comply with medical
1226 guidelines, including those that lead to earlier detection of
1227 chronic diseases in order to prevent chronic diseases or slow
1228 the progression of established chronic diseases.

1229 (b) The department shall promote regular health visits
1230 during a person's lifetime, including annual physical

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

1231 examinations that include measuring body mass index and vital
1232 signs, blood work, immunizations, screenings, and dental
1233 examinations in order to reduce the financial, social, and
1234 personal burden of chronic disease.

1235 (5) WELLNESS PROGRAMS.--

1236 (a) Each state agency may conduct employee wellness
1237 programs in buildings and lands owned or leased by the state.
1238 The department shall serve as a model to develop and implement
1239 employee wellness programs that may include physical fitness,
1240 healthy nutrition, self-management of disease, education, and
1241 behavioral change. The department shall assist other state
1242 agencies to develop and implement employee wellness programs.
1243 These programs shall use existing resources, facilities, and
1244 programs or resources procured through grant funding and
1245 donations that are obtained in accordance with state ethics and
1246 procurement policies, and shall provide equal access to any such
1247 programs, resources, and facilities to all state employees.

1248 (b) The department shall coordinate its efforts with the
1249 Department of Management Services and other state agencies.

1250 (c) Each agency may establish an employee wellness work
1251 group to design the program. The department shall be available
1252 to provide policy guidance and assist in identifying effective
1253 wellness program strategies.

1254 (d) The department shall provide by rule requirements for
1255 nominal participation fees, when applicable, which may not
1256 exceed the department's actual costs; collaborations with
1257 businesses; and the procurement of equipment and incentives.

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

1258 Section 23. Section 385.202, Florida Statutes, is amended
1259 to read:

1260 385.202 Statewide cancer registry.--

1261 (1) Each facility, laboratory, or practitioner licensed
1262 under chapter 395, chapter 458, chapter 459, chapter 464,
1263 chapter 483, and each freestanding radiation therapy center as
1264 defined in s. 408.07, shall report to the department ~~of Health~~
1265 ~~such~~ information, specified by the department, by rule. The
1266 department may adopt rules regarding reporting requirements for
1267 the cancer registry, which shall include the data required, the
1268 timeframe for reporting, and those professionals who are
1269 responsible for ensuring compliance with reporting requirements,
1270 ~~which indicates diagnosis, stage of disease, medical history,~~
1271 ~~laboratory data, tissue diagnosis, and radiation, surgical, or~~
1272 ~~other methods of diagnosis or treatment for each cancer~~
1273 ~~diagnosed or treated by the facility or center. Failure to~~
1274 ~~comply with this requirement may be cause for registration or~~
1275 ~~licensure suspension or revocation.~~

1276 (2) The department shall establish, or cause to have
1277 established, by contract with a recognized medical organization
1278 in this state and its affiliated institutions, a statewide
1279 cancer registry program to ensure that cancer reports required
1280 under this section shall be maintained and available for use in
1281 the course of public health surveillance and any study for the
1282 purpose of reducing morbidity or mortality; and no liability of
1283 any kind or character for damages or other relief shall arise or
1284 be enforced against any facility or practitioner ~~hospital~~ by

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

1285 reason of having provided such information or material to the
1286 department.

1287 (3) The department may adopt rules regarding the
1288 establishment and operation of a statewide cancer registry
1289 program.

1290 (4)~~(3)~~ The department or a contractual designee operating
1291 the statewide cancer registry program required by this section
1292 shall use or publish said material only for the purpose of
1293 public health surveillance and advancing medical research or
1294 medical education in the interest of reducing morbidity or
1295 mortality, except that a summary of such studies may be released
1296 for general publication. Information which discloses or could
1297 lead to the disclosure of the identity of any person whose
1298 condition or treatment has been reported and studied shall be
1299 confidential and exempt from the provisions of s. 119.07(1),
1300 except that:

1301 (a) Release may be made with the written consent of all
1302 persons to whom the information applies;

1303 (b) The department or a contractual designee may contact
1304 individuals for the purpose of epidemiologic investigation and
1305 monitoring, provided information that is confidential under this
1306 section is not further disclosed; or

1307 (c) The department may exchange personal data with any
1308 other governmental agency or a contractual designee for the
1309 purpose of public health surveillance and medical or scientific
1310 research, if provided such governmental agency or contractual
1311 designee does ~~shall~~ not further disclose information that is
1312 confidential under this section.

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

1313 (5)~~(4)~~ Funds appropriated for this section shall be used
1314 for establishing, administering, compiling, processing, and
1315 providing biometric and statistical analyses to the reporting
1316 facilities and practitioners. Funds may also be used to ensure
1317 the quality and accuracy of the information reported and to
1318 provide management information to the reporting facilities and
1319 practitioners.

1320 (6)~~(5)~~ The department may adopt rules regarding the
1321 classifications of, by rule, classify facilities that are
1322 responsible for making reports to the cancer registry, the
1323 content and frequency of the reports, and the penalty for
1324 failure to comply with these requirements for purposes of
1325 reports made to the cancer registry and specify the content and
1326 frequency of the reports. In classifying facilities, the
1327 department shall exempt certain facilities from reporting cancer
1328 information that was previously reported to the department or
1329 retrieved from existing state reports made to the department or
1330 the Agency for Health Care Administration. The provisions of
1331 This section does ~~shall~~ not apply to any facility whose primary
1332 function is to provide psychiatric care to its patients.

1333 (7) Notwithstanding subsection (1), each facility and
1334 practitioner that reports cancer cases to the department shall
1335 make their records available for onsite review by the department
1336 or its authorized representative.

1337 Section 24. Subsection (3) of section 385.203, Florida
1338 Statutes, is amended to read:

1339 385.203 Diabetes Advisory Council; creation; function;
1340 membership.--

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

1341 (3) The council shall be composed of 26 ~~25~~ citizens of the
1342 state who have knowledge of, or work in, the area of diabetes
1343 mellitus as follows:

1344 (a) Five interested citizens, three of whom are affected
1345 by diabetes.

1346 (b) Twenty-one ~~Twenty~~ members, who must include one
1347 representative from each of the following areas: nursing with
1348 diabetes-educator certification; dietary with diabetes educator
1349 certification; podiatry; ophthalmology or optometry; psychology;
1350 pharmacy; adult endocrinology; pediatric endocrinology; the
1351 American Diabetes Association (ADA); the Juvenile Diabetes
1352 Foundation (JDF); the Florida Academy of Family Physicians; a
1353 community health center; a county health department; an American
1354 Diabetes Association recognized community education program;
1355 each medical school in the state; an osteopathic medical school;
1356 the insurance industry; a Children's Medical Services diabetes
1357 regional program; and an employer.

1358 (c) One or more representatives from the Department of
1359 Health, who shall serve on the council as ex officio members.

1360 Section 25. Section 385.206, Florida Statutes, is amended
1361 to read:

1362 385.206 Pediatric Hematology-Oncology ~~care~~ Center
1363 Program.--

1364 (1) DEFINITIONS.--As used in this section, the term:

1365 (a) "Department" means the Department of Health.

1366 (b) "Hematology" means the study, diagnosis, and treatment
1367 of blood and blood-forming tissues.

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

1368 (c) "Oncology" means the study, diagnosis, and treatment
1369 of malignant neoplasms or cancer.

1370 (d) "Hemophilia" or "other hemostatic disorder" means a
1371 bleeding disorder resulting from a genetic abnormality of
1372 mechanisms related to the control of bleeding.

1373 (e) "Sickle-cell anemia or other hemoglobinopathy" means
1374 an hereditary, chronic disease caused by an abnormal type of
1375 hemoglobin.

1376 (f) "Patient" means a person under the age of 21 who is in
1377 need of hematologic-oncologic services and who is enrolled in
1378 the Children's Medical Services Network ~~declared medically and~~
1379 ~~financially eligible by the department; or a person who received~~
1380 ~~such services prior to age 21 and who requires long-term~~
1381 ~~monitoring and evaluation to ascertain the sequelae and the~~
1382 ~~effectiveness of treatment.~~

1383 (g) "Center" means a facility designated by the department
1384 as having a program specifically designed to provide a full
1385 range of medical and specialty services to patients with
1386 hematologic and oncologic disorders.

1387 (2) PEDIATRIC HEMATOLOGY-ONCOLOGY CARE CENTER PROGRAM;
1388 AUTHORITY.--The department may designate ~~is authorized to make~~
1389 ~~grants and reimbursements to designated centers~~ and provide
1390 funding to establish and maintain programs for the care of
1391 patients with hematologic and oncologic disorders. Program
1392 administration costs shall be paid by the department from funds
1393 appropriated for this purpose.

1394 (3) GRANT FUNDING CONTRACTS ~~GRANT AGREEMENTS;~~
1395 ~~CONDITIONS.--~~

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

1396 (a) Funding provided ~~A grant made~~ under this section shall
1397 be pursuant to a contract ~~contractual agreement~~ made between a
1398 center and the department. Each contract ~~agreement~~ shall provide
1399 that patients will receive services ~~specified types of treatment~~
1400 ~~and care~~ from the center without additional charge to the
1401 patients or their parents or guardians. ~~Grants shall be~~
1402 ~~disbursed in accordance with conditions set forth in the~~
1403 ~~disbursement guidelines.~~

1404 ~~(4) GRANT DISBURSEMENTS AND SPECIAL DISBURSEMENTS FOR~~
1405 ~~LOCAL PROGRAMS.--~~

1406 (b) (a) Funding may be provided ~~Grant disbursements may be~~
1407 ~~made~~ to centers that ~~which~~ meet the following criteria:

1408 1. The personnel shall include at least one board-
1409 certified pediatric hematologist-oncologist, at least one board-
1410 certified pediatric surgeon, at least one board-certified
1411 radiotherapist, and at least one board-certified pathologist.

1412 2. ~~As approved by the department,~~ The center shall
1413 actively participate in a national children's cancer study
1414 group, maintain a pediatric tumor registry, have a
1415 multidisciplinary pediatric tumor board, and meet other
1416 guidelines for development, including, but not limited to,
1417 guidelines from such organizations as the American Academy of
1418 Pediatrics and the American Pediatric Surgical Association.

1419 ~~(b) Programs shall also be established to provide care to~~
1420 ~~hematology oncology patients within each district of the~~
1421 ~~department. The guidelines for local programs shall be~~
1422 ~~formulated by the department. Special disbursements may be made~~
1423 ~~by the program office to centers for educational programs~~

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

1424 ~~designed for the districts of the department. These programs may~~
1425 ~~include teaching total supportive care of the dying patient and~~
1426 ~~his or her family, home therapy to hemophiliacs and patients~~
1427 ~~with other hemostatic disorders, and screening and counseling~~
1428 ~~for patients with sickle-cell anemia or other~~
1429 ~~hemoglobinopathies.~~

1430 (4)~~(5)~~ PROGRAM AND PEER REVIEW.--The department shall
1431 evaluate ~~at least annually during the grant period~~ the services
1432 rendered by the centers ~~and the districts of the department.~~
1433 Data from the centers and other sources relating to pediatric
1434 cancer shall be reviewed annually by the Florida Association of
1435 Pediatric Tumor Programs, Inc.; and a written report with
1436 recommendations shall be made to the department. This database
1437 will be available to the department for program planning and
1438 quality assurance initiatives ~~formulation of its annual program~~
1439 ~~and financial evaluation report.~~ A portion of the funds
1440 appropriated for this section may be used to provide statewide
1441 consultation, supervision, and evaluation of the programs of the
1442 centers, as well as central program office support personnel.

1443 Section 26. Paragraph (g) of subsection (2) and subsection
1444 (7) of section 385.207, Florida Statutes, are amended to read:

1445 385.207 Care and assistance of persons with epilepsy;
1446 establishment of programs in epilepsy control.--

1447 (2) The Department of Health shall:

1448 (g) Continue current programs and develop cooperative
1449 programs and services designed to enhance the vocational
1450 rehabilitation of epilepsy clients, including the current jobs
1451 programs. The department shall, as part of its contract with a
770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

1452 provider of epilepsy services, collect information regarding the
1453 number of clients served, the outcomes reached, the expenses
1454 incurred, and the fees collected by such providers for the
1455 provision of services ~~keep~~ and make this information available
1456 to the Governor and the Legislature upon request ~~information~~
1457 ~~regarding the number of clients served, the outcome reached, and~~
1458 ~~the expense incurred by such programs and services.~~

1459 ~~(7) The department shall limit total administrative~~
1460 ~~expenditures from the Epilepsy Services Trust Fund to 5 percent~~
1461 ~~of annual receipts.~~

1462 Section 27. Paragraphs (b), (d), and (g) of subsection (2)
1463 and paragraph (b) of subsection (5) of section 385.210, Florida
1464 Statutes, are amended to read:

1465 385.210 Arthritis prevention and education.--

1466 (2) LEGISLATIVE FINDINGS.--The Legislature finds the
1467 following:

1468 (b) Arthritis is the leading cause of disability in the
1469 United States, limiting daily activities for more than 19 7
1470 million citizens.

1471 (d) There are enormous economic and social costs
1472 associated with treating arthritis and its complications; the
1473 economic costs are estimated at over \$128 billion (2003) ~~\$116~~
1474 ~~billion (1997)~~ annually in the United States.

1475 (g) The National Arthritis Foundation, the CDC Centers ~~for~~
1476 ~~Disease Control and Prevention~~, and the Association of State and
1477 Territorial Health Officials have led the development of a
1478 public health strategy, the National Arthritis Action Plan, to
1479 respond to this challenge.

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

1480 (5) FUNDING.--

1481 (b) The State Surgeon General may ~~shall~~ seek any federal
1482 waiver or waivers that may be necessary to maximize funds from
1483 the Federal Government to implement this program.

1484 Section 28. Section 385.301, Florida Statutes, is created
1485 to read:

1486 385.301 Rulemaking authority.--The department may adopt
1487 rules pursuant to chapter 120 to administer this chapter.

1488 Section 29. Subsection (9) of section 409.904, Florida
1489 Statutes, is amended to read:

1490 409.904 Optional payments for eligible persons.--The
1491 agency may make payments for medical assistance and related
1492 services on behalf of the following persons who are determined
1493 to be eligible subject to the income, assets, and categorical
1494 eligibility tests set forth in federal and state law. Payment on
1495 behalf of these Medicaid eligible persons is subject to the
1496 availability of moneys and any limitations established by the
1497 General Appropriations Act or chapter 216.

1498 (9) Eligible women with incomes at or below 200 percent of
1499 the federal poverty level and under age 65, for cancer treatment
1500 pursuant to the federal Breast and Cervical Cancer Prevention
1501 and Treatment Act of 2000, screened through the Mary Brogan
1502 Breast and Cervical Cancer Early Detection Program established
1503 under s. 385.2021 ~~s. 381.93~~.

1504 Section 30. The Pharmacy and Therapeutic Advisory
1505 Council.--

1506 (1) The Pharmacy and Therapeutic Advisory Council is
1507 created within the Executive Office of the Governor to serve in
770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

1508 an advisory capacity to the Department of Health and other
1509 governmental agencies. The council may not interfere with
1510 existing mandated Medicaid services and may not develop or
1511 implement new services. Specifically, the council may not
1512 interfere with the work of the Agency for Health Care
1513 Administration as it complies with federal and state statutory
1514 obligations to develop a preferred drug list, to negotiate
1515 rebate agreements for medications included in the preferred drug
1516 list, and to protect the confidentiality of rebate agreements.
1517 The council may not interfere with the Medicaid Pharmacy and
1518 Therapeutics Committee or the Drug Utilization Review Board,
1519 which oversee clinical activities within the Bureau of Pharmacy
1520 Services if such interference would violate any federal or state
1521 statutory obligations.

1522 (2) The Pharmacy and Therapeutic Advisory Council shall
1523 use Medicaid processes within the existing Medicaid structure of
1524 the Agency for Health Care Administration as a guide for
1525 assisting state agencies in:

1526 (a) Developing an unbiased clinical perspective on drug
1527 evaluations and utilization protocols that are relevant to
1528 patient care provided through programs administered by state
1529 agencies.

1530 (b) Developing drug utilization review processes that are
1531 relevant to the agencies and those receiving care through
1532 programs administered by the agencies.

1533 (c) Building a formulary structure that enforces formulary
1534 compliance or adherence within each agency.

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

1535 (d) Performing pharmacoeconomic analyses on formulary
1536 management so that the state maximizes the cost-effectiveness of
1537 its pharmaceutical purchasing.

1538 (e) Reviewing new and existing therapies using criteria
1539 established for efficacy, safety, and quality in order to
1540 maximize cost-effective purchasing.

1541 (f) Reviewing state agency proposals to maximize the cost-
1542 effectiveness of pharmaceutical purchasing in compliance with s.
1543 381.0203, Florida Statutes.

1544 (3) The council shall verify the cost-effectiveness and
1545 clinical efficacy of any state contracts entered into under s.
1546 381.0203(1), Florida Statutes, no less than once every 2 years.

1547 (4) The members of the council and the chair shall be
1548 appointed by the Governor to 4-year staggered terms or until
1549 their successors are appointed. Members may be appointed to more
1550 than one term. The Governor shall fill any vacancies for the
1551 remainder of the unexpired term in the same manner as the
1552 original appointment.

1553 (5) The council shall include voting and nonvoting
1554 members, and the chair, who is a voting member, must be a
1555 pharmacist employed by a state agency.

1556 (a) The voting members shall represent:

1557 1. The Agency for Health Care Administration.

1558 2. The Agency for Persons with Disabilities.

1559 3. The Department of Children and Family Services.

1560 4. The Department of Corrections.

1561 5. The Department of Elderly Affairs.

1562 6. The Department of Health.

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

1563 7. The Department of Juvenile Justice.

1564 8. The Bureau of Pharmacy Services within the Agency for
1565 Health Care Administration, which shall be represented by the
1566 bureau chief.

1567 9. The Bureau of Statewide Pharmaceutical Services within
1568 the Department of Health, which shall be represented by the
1569 bureau chief.

1570 (b) The nonvoting members shall be:

1571 1. A representative from the Agency for Health Care
1572 Administration's drug contracting program.

1573 2. The contracting officer for the Department of Health's
1574 drug procurement program.

1575 3. A clinical pharmacy program manager from the Agency for
1576 Health Care Administration.

1577 4. The chair of the Department of Health's Pharmacy and
1578 Therapeutics Committee.

1579 5. The general counsel for the Agency for Health Care
1580 Administration or his or her designee.

1581 6. The general counsel for a state agency in the executive
1582 branch of state government, or his or her designee.

1583 7. A representative from the Executive Office of the
1584 Governor.

1585 8. The statewide pharmacy director of the Department of
1586 Corrections' Office of Health Services.

1587 (6) Members of the council shall consist of at least one
1588 physician licensed under chapter 458 or chapter 459, Florida
1589 Statutes, at least one pharmacist licensed under chapter 465,
1590 Florida Statutes, and at least one registered nurse licensed

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

1591 under chapter 464, Florida Statutes. Each member designated in
1592 this subsection must have an active license in his or her
1593 profession and may not have been the subject of any agency
1594 disciplinary action.

1595 (7) Members, who must be residents of this state, shall be
1596 selected on the basis of specialty, board certification, prior
1597 pharmacy and therapeutic experience, experience treating medical
1598 assistance recipients, ability to represent a broad base of
1599 constituents, and number of years of practice. Members may not
1600 have any conflicts of interest due to their service on the
1601 council.

1602 (8) The council may request the participation of
1603 additional subject-matter experts to address specific drug,
1604 therapeutic, or drug-procurement issues under review by the
1605 council.

1606 (9) A majority of the members of the council constitutes a
1607 quorum, and an affirmative vote of a majority of the voting
1608 members is necessary to take action.

1609 (10) The council shall meet quarterly or at the call of
1610 the chair.

1611 (11) The council shall be staffed by the chair's
1612 department or agency.

1613 (12) The council members shall serve without compensation,
1614 but are entitled to reimbursement for travel and per diem
1615 expenses incurred in the performance of their duties in
1616 accordance with s. 112.061, Florida Statutes.

1617 Section 31. Subsections (1) and (3) of section 430.80,
1618 Florida Statutes, are amended to read:

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

1619 430.80 Implementation of a teaching nursing home pilot
1620 project.--

1621 (1) As used in this section, the term "teaching nursing
1622 home" means a nursing home facility licensed under chapter 400
1623 which contains a minimum of 275 ~~400~~ licensed nursing home beds;
1624 has access to a resident senior population of sufficient size to
1625 support education, training, and research relating to geriatric
1626 care; and has a contractual relationship with a federally funded
1627 accredited geriatric research center in this state or operates
1628 in its own right a geriatric research center.

1629 (3) To be designated as a teaching nursing home, a nursing
1630 home licensee must, at a minimum:

1631 (a) Provide a comprehensive program of integrated senior
1632 services that include institutional services and community-based
1633 services;

1634 (b) Participate in a nationally recognized accreditation
1635 program and hold a valid accreditation, such as the
1636 accreditation awarded by the Joint Commission on Accreditation
1637 of Healthcare Organizations, or possess a Gold Seal Award as
1638 conferred by the Agency for Health Care Administration on its
1639 licensed nursing home;

1640 (c) Have been in business in this state for a minimum of
1641 10 consecutive years;

1642 (d) Demonstrate an active program in multidisciplinary
1643 education and research that relates to gerontology;

1644 (e) Have a formalized contractual relationship with at
1645 least one accredited health profession education program located
1646 in this state;

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

1647 ~~(f) Have a formalized contractual relationship with an~~
1648 ~~accredited hospital that is designated by law as a teaching~~
1649 ~~hospital; and~~

1650 (f)(g) Have senior staff members who hold formal faculty
1651 appointments at universities, which must include at least one
1652 accredited health profession education program; and-

1653 (g)(h) Maintain insurance coverage pursuant to s.
1654 400.141(20) or proof of financial responsibility in a minimum
1655 amount of \$750,000. Such proof of financial responsibility may
1656 include:

- 1657 1. Maintaining an escrow account consisting of cash or
1658 assets eligible for deposit in accordance with s. 625.52; or
- 1659 2. Obtaining and maintaining pursuant to chapter 675 an
1660 unexpired, irrevocable, nontransferable and nonassignable letter
1661 of credit issued by any bank or savings association organized
1662 and existing under the laws of this state or any bank or savings
1663 association organized under the laws of the United States that
1664 has its principal place of business in this state or has a
1665 branch office which is authorized to receive deposits in this
1666 state. The letter of credit shall be used to satisfy the
1667 obligation of the facility to the claimant upon presentment of a
1668 final judgment indicating liability and awarding damages to be
1669 paid by the facility or upon presentment of a settlement
1670 agreement signed by all parties to the agreement when such final
1671 judgment or settlement is a result of a liability claim against
1672 the facility.

1673 Section 32. Subsection (20) of section 400.141, Florida
1674 Statutes, is amended to read:

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

1675 400.141 Administration and management of nursing home
1676 facilities.--Every licensed facility shall comply with all
1677 applicable standards and rules of the agency and shall:

1678 (20) Maintain general and professional liability insurance
1679 coverage that is in force at all times. In lieu of general and
1680 professional liability insurance coverage, a state-designated
1681 teaching nursing home and its affiliated assisted living
1682 facilities created under s. 430.80 may demonstrate proof of
1683 financial responsibility as provided in s. 430.80(3) (g) ~~(h)~~.

1684
1685 Facilities that have been awarded a Gold Seal under the program
1686 established in s. 400.235 may develop a plan to provide
1687 certified nursing assistant training as prescribed by federal
1688 regulations and state rules and may apply to the agency for
1689 approval of their program.

1690 Section 33. Paragraph (g) is added to subsection (53) of
1691 section 499.003, Florida Statutes, to read:

1692 499.003 Definitions of terms used in this part.--As used
1693 in this part, the term:

1694 (53) "Wholesale distribution" means distribution of
1695 prescription drugs to persons other than a consumer or patient,
1696 but does not include:

1697 (g) The sale, purchase, trade, or transfer of a
1698 prescription drug among agencies and health care entities of the
1699 state to complete the dispensing of the prescription drug to a
1700 patient under the care of a state agency or health care entity,
1701 or to a patient for whom the state is responsible for providing
1702 or arranging health care services. The agency or health care

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

1703 entity that received the prescription drug on behalf of the
1704 patient is deemed the patient's agent under s. 465.003(6).

1705 Section 34. The Office of Program Policy Analysis and
1706 Government Accountability shall study the feasibility of
1707 establishing an environmental health program within the
1708 Department of Health related to the regulation of air quality
1709 within enclosed ice rinks. The study shall assess the dangers
1710 associated with oxides of nitrogen (NOX), hydrocarbons (CXHX),
1711 carbon monoxide (CO), carbon dioxide (CO2), and other harmful
1712 gasses, vapors, or particles which change the air quality due to
1713 the operation of the ice rink. The study shall identify any
1714 relevant standards, risk values or exposure guidelines
1715 recommended by the United States Environmental Protection Agency
1716 or the United States Centers for Disease Control and Prevention,
1717 or any other federal agency. The study shall include
1718 recommendations for air quality standards and requirements for
1719 monitoring, testing, and recordkeeping; maintenance and
1720 operation requirements for equipment that affects air quality;
1721 ventilation of the facility; and operators' required response
1722 activities related to exceeding any air quality standards. The
1723 study shall identify the range of government and private sector
1724 costs of such a program. The Office shall submit a report to the
1725 Governor, the Speaker of the House of Representatives and the
1726 President of the Senate by February 1, 2010.

1727 Section 33. This act shall take effect July 1, 2009.
1728
1729
1730

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

T I T L E A M E N D M E N T

Remove lines 1890-2120 and insert:

An act relating to health care; amending s. 154.503, F.S.; conforming a cross-reference; repealing s. 381.0053, F.S., relating to a comprehensive nutrition program; repealing s. 381.0054, F.S., relating to healthy lifestyles promotion; repealing ss. 381.732, 381.733, and 381.734, F.S., relating to the Healthy Communities, Healthy People Act; amending s. 381.006, F.S.; requiring the Department of Health, when conducting an environmental health program inspection of a certified domestic violence center and certain residential child-caring agencies to limit the inspection of the domestic violence center or residential child-caring agency to the requirements set forth in the department's rules applicable to community-based residential facilities with five or fewer residents; requiring a report to the Governor and Legislature prior to proceeding with nitrogen reduction activities; ; amending s. 381.0072, F.S.; requiring the Department of Health, when conducting a food service inspection of a certified domestic violence center to limit the inspection of the domestic violence center to the requirements set forth in the department's rules applicable to community-based residential facilities with five or fewer residents; amending s. 381.0203, F.S.; requiring certain state agencies to purchase drugs through the statewide

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

1759 purchasing contract administered by the Department of
1760 Health; providing an exception; requiring the department
1761 to establish and maintain a pharmacy services program;
1762 establishing conditions for state agencies that purchase
1763 certain pharmaceutical services; transferring,
1764 renumbering, and amending s. 381.84, F.S., relating to the
1765 Comprehensive Statewide Tobacco Education and Use
1766 Prevention Program; revising definitions; revising program
1767 components; requiring program components to include
1768 efforts to educate youth and their parents about tobacco
1769 use; requiring a youth-directed focus in each program
1770 component; deleting an obsolete provision relating to the
1771 AHEC smoking-cessation initiative; requiring the Tobacco
1772 Education and Use Prevention Advisory Council to adhere to
1773 state ethics laws; providing that meetings of the council
1774 are subject to public records and public meetings
1775 requirements; revising the duties of the council; deleting
1776 a provision that prohibits a member of the council from
1777 participating in a discussion or decision with respect to
1778 a research proposal by a firm, entity, or agency with
1779 which the member is associated as a member of the
1780 governing body or as an employee or with which the member
1781 has entered into a contractual arrangement; revising the
1782 submission date of an annual report; deleting an expired
1783 provision relating to rulemaking authority of the
1784 department; transferring and renumbering s. 381.91, F.S.,
1785 relating to the Jessie Trice Cancer Prevention Program;
1786 transferring, renumbering, and amending s. 381.911, F.S.,

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

1787 relating to the Prostate Cancer Awareness Program;
1788 revising the criteria for members of the prostate cancer
1789 advisory committee; repealing s. 381.912, F.S., relating
1790 to the Cervical Cancer Elimination Task Force;
1791 transferring and renumbering s. 381.92, F.S., relating to
1792 the Florida Cancer Council; transferring and renumbering
1793 s. 381.921, F.S., relating to the mission and duties of
1794 the Florida Cancer Council; amending s. 381.922, F.S.;
1795 conforming cross-references; transferring and renumbering
1796 s. 381.93, F.S., relating to a breast and cervical cancer
1797 early detection program; transferring and renumbering s.
1798 381.931, F.S., relating to an annual report on Medicaid
1799 expenditures; renaming ch. 385, F.S., as the "Healthy and
1800 Fit Florida Act"; amending s. 385.101, F.S.; renaming the
1801 "Chronic Diseases Act" as the "Healthy and Fit Florida
1802 Act"; amending s. 385.102, F.S.; revising legislative
1803 intent; creating s. 385.1021, F.S.; providing definitions;
1804 creating s. 385.1022, F.S.; requiring the Department of
1805 Health to support public health programs to reduce the
1806 incidence of mortality and morbidity from chronic
1807 diseases; creating s. 385.1023, F.S.; requiring the
1808 department to create state-level programs that address the
1809 risk factors of certain chronic diseases; providing
1810 required activities of the state-level programs; amending
1811 s. 385.103, F.S.; providing for community-level programs
1812 for the prevention of chronic diseases; revising
1813 definitions; requiring the department to develop and
1814 implement a community-based chronic disease prevention and

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

1815 health promotion program; providing the purpose of the
1816 program; providing requirements for the program; creating
1817 s. 385.105, F.S.; requiring the department to develop
1818 programs to increase physical fitness, to work with school
1819 districts, to develop partnerships that allow the public
1820 to access recreational facilities and public land areas
1821 suitable for physical activity, to work with the Executive
1822 Office of the Governor and Volunteer Florida, Inc., to
1823 promote school initiatives, and to collaborate with the
1824 Department of Education in recognizing nationally accepted
1825 best practices for improving physical education in
1826 schools; requiring the Department of Health to promote
1827 healthy lifestyles to reduce obesity; requiring the
1828 department to promote optimal nutritional status in all
1829 stages of people's lives, personal responsibility to
1830 prevent chronic disease or slow its progression, and
1831 regular health visits during a person's life span;
1832 authorizing state agencies to conduct employee wellness
1833 programs; requiring the department to serve as a model to
1834 develop and implement employee wellness programs;
1835 requiring the department to assist state agencies to
1836 develop the employee wellness programs; providing equal
1837 access to the programs by agency employees; requiring the
1838 department to coordinate efforts with the Department of
1839 Management Services and other state agencies; authorizing
1840 each state agency to establish an employee wellness work
1841 group to design the wellness program; requiring the
1842 department to provide requirements for participation fees,

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

1843 collaborations with businesses, and procurement of
1844 equipment and incentives; amending s. 385.202, F.S.;
1845 requiring facilities, laboratories, and practitioners to
1846 report certain information; authorizing the department to
1847 adopt rules regarding reporting requirements for the
1848 cancer registry; providing immunity from liability for
1849 facilities and practitioners reporting certain
1850 information; requiring the department to adopt rules
1851 regarding the establishment and operation of a statewide
1852 cancer registry program; requiring the department or
1853 contractual designee operating the statewide cancer
1854 registry program to use or publish material only for the
1855 purpose of public health surveillance and advancing
1856 medical research or medical education in the interest of
1857 reducing morbidity or mortality; authorizing the
1858 department to exchange personal data with any agency or
1859 contractual designee for the purpose of public health
1860 surveillance and medical or scientific research under
1861 certain circumstances; clarifying that the department may
1862 adopt rules regarding the classifications of facilities
1863 related to reports made to the cancer registry; requiring
1864 each facility and practitioner that reports cancer cases
1865 to the department to make their records available for
1866 onsite review; amending s. 385.203, F.S.; increasing the
1867 size of the Diabetes Advisory Council to include one
1868 representative of the Florida Academy of Family
1869 Physicians; amending s. 385.206, F.S.; renaming the
1870 "hematology-oncology care center program" as the

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

1871 "Pediatric Hematology-Oncology Center Program"; revising
1872 definitions; authorizing the department to designate
1873 centers and provide funding to maintain programs for the
1874 care of patients with hematologic and oncologic disorders;
1875 clarifying provisions related to grant-funding agreements
1876 and grant disbursements; revising the department's
1877 requirement to evaluate services rendered by the centers;
1878 requiring data from the centers and other sources relating
1879 to pediatric cancer to be available to the department for
1880 program planning and quality assurance initiatives;
1881 amending s. 385.207, F.S.; clarifying provisions that
1882 require the department to collect information regarding
1883 the number of clients served, the outcomes reached, the
1884 expense incurred, and fees collected by providers of
1885 epilepsy services; deleting the provision that requires
1886 the department to limit administrative expenses from the
1887 Epilepsy Services Trust Fund to a certain percentage of
1888 annual receipts; amending s. 385.210, F.S.; revising
1889 legislative findings regarding the economic costs of
1890 treating arthritis and its complications; authorizing the
1891 State Surgeon General to seek any federal waivers that may
1892 be necessary to maximize funds from the Federal Government
1893 to implement the Arthritis Prevention and Education
1894 Program; creating s. 385.301, F.S.; authorizing the
1895 department to adopt rules to administer the act; amending
1896 s. 409.904, F.S.; conforming a cross-reference; creating
1897 the Pharmacy and Therapeutic Advisory Council within the
1898 Executive Office of the Governor; providing duties of the

770675

Approved For Filing: 5/1/2009 4:54:55 PM

Amendment No.

1899 council; providing for the appointment and qualification
1900 of members; providing for the use of subject-matter
1901 experts when necessary; providing requirements for voting
1902 and a quorum; providing for quarterly meetings of the
1903 council; providing for staffing; providing for
1904 reimbursement of per diem and travel expenses for members
1905 of the council; amending s. 430.80, F.S.; redefining the
1906 term "teaching nursing home" as it relates to the
1907 implementation of a teaching nursing home pilot project;
1908 revising the requirements to be designated as a teaching
1909 nursing home; amending s. 400.141, F.S.; conforming a
1910 cross-reference; amending s. 499.003, F.S.; excluding from
1911 the definition of "wholesale distribution" certain
1912 activities of state agencies; requiring a study and report
1913 by the Office of Program Policy Analysis and Government
1914 Accountability relating to air quality within ice rinks;
1915 providing an effective date.