

1 A bill to be entitled
 2 An act relating to public health initiatives; amending s.
 3 381.98, F.S.; establishing the Florida Public Health
 4 Institute, Inc., and deleting provisions relating to the
 5 Florida Public Health Foundation, Inc.; providing purposes
 6 of the institute; providing for the institute to operate
 7 as a not-for-profit corporation; revising composition of
 8 the board of directors; removing obsolete language
 9 relating to certain research; requiring annual reports to
 10 the Legislature; amending ss. 381.855, 381.911, and
 11 381.981, F.S.; conforming terminology; providing an
 12 effective date.

13

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

15

16 Section 1. Section 381.98, Florida Statutes, is amended to
 17 read:

18 381.98 The Florida Public Health Institute ~~Foundation~~,
 19 Inc.; establishment; purpose; mission; duties; board of
 20 directors.--

21 (1) The Florida Public Health Institute ~~Foundation~~, Inc.,
 22 referred to in this section as "the corporation," is established
 23 for the purpose of advancing the knowledge and practice of
 24 public health, including disseminating breakthrough findings in
 25 ~~biomedical research and promoting health awareness in this state~~
 26 ~~and providing services to the Department of Health.~~

27 ~~(2) The corporation's mission includes disseminating~~
 28 ~~information about innovative biomedical research and clinical~~

29 ~~trials in this state as well as making Floridians and their~~
30 ~~treatment providers aware of specified diseases and conditions~~
31 ~~and available methods of preventing, diagnosing, treating, and~~
32 ~~curing those diseases and conditions.~~

33 (2)~~(3)~~ The purpose and objective of the corporation shall
34 be to operate exclusively for charitable, scientific, and
35 educational purposes; to protect and improve the health and
36 well-being of Florida's people and environment through
37 partnerships committed to program innovation, education, applied
38 research, and policy development; and to engage in charitable
39 programs dedicated to improving the health of Floridians.

40 (3)~~(4)~~ The corporation shall be established as a not-for-
41 profit entity qualifying under s. 501(c)(3) of the Internal
42 Revenue Code. The corporation may receive, hold, invest, and
43 administer property and any moneys acquired from private, local,
44 state, and federal sources, as well as technical and
45 professional income generated or derived from the mission-
46 related activities of the corporation. The corporation shall
47 have all of the powers conferred upon corporations organized
48 under chapter 617.

49 (4)~~(5)~~ The corporation's duties include procuring funds
50 necessary for accomplishing the purpose and mission of the
51 corporation. The corporation shall strive to complement,
52 supplement, and enhance the missions of the various
53 organizations, entities, and departments that provide public
54 health initiatives ~~represented on its board~~ by serving as the
55 lead corporation in the state for promoting public health
56 awareness.

57 (5)-(6) The affairs of the corporation shall be managed by
 58 an executive director appointed by a board of directors.

59 ~~consisting of:~~

60 (6) (a) The board of directors shall be elected in
 61 accordance with the bylaws of the corporation and shall include,
 62 but not be limited to, the following:

63 1.(a) The State Surgeon General or his or her designee.

64 2.(b) A representative of the Florida Public Health
 65 Association ~~former member of the Senate appointed by the~~
 66 ~~President of the Senate.~~

67 3.(e) Representatives of local health departments, with at
 68 least one representative each from the southern, central, and
 69 northern geographic areas of the state ~~A former member of the~~
 70 ~~House of Representatives appointed by the Speaker of the House~~
 71 ~~of Representatives.~~

72 4.(d) Representatives of institutions of higher learning ~~A~~
 73 ~~representative of the American Heart Association.~~

74 5.(e) Representatives of the private health care provider
 75 sector, industry or business groups, or philanthropic
 76 foundations ~~A representative of the American Cancer Society,~~
 77 ~~Florida Division, Inc.~~

78 (b) The majority of board members may not be state
 79 employees.

80 ~~(f) A representative of the American Lung Association of~~
 81 ~~Florida.~~

82 ~~(g) A representative of the American Diabetes Association,~~
 83 ~~South Coastal Region.~~

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

- 85 ~~(i) A representative of the Epilepsy Foundation.~~
- 86 ~~(j) A representative of the National Parkinson Foundation.~~
- 87 ~~(k) A representative of the March of Dimes, Florida~~
- 88 ~~Chapter.~~
- 89 ~~(l) A representative of the Arthritis Foundation, Florida~~
- 90 ~~Chapter.~~
- 91 ~~(m) A representative of the American Liver Foundation.~~
- 92 ~~(n) A representative of the Florida Council for Behavioral~~
- 93 ~~Healthcare, Inc.~~
- 94 ~~(o) A representative of the Florida Alcohol and Drug Abuse~~
- 95 ~~Association.~~
- 96 ~~(p) A representative of Pharmaceutical Research and~~
- 97 ~~Manufacturers of America.~~
- 98 ~~(q) A representative of the Florida Public Health~~
- 99 ~~Association.~~
- 100 ~~(r) A representative of the Florida Association of County~~
- 101 ~~Health Officers.~~
- 102 ~~(s) A public health academician selected by the State~~
- 103 ~~Health Officer.~~
- 104 ~~(t) A representative of the Florida Academy of Family~~
- 105 ~~Physicians.~~
- 106 ~~(u) Three consumers who have demonstrated an interest in~~
- 107 ~~protecting the public health appointed by the Florida Public~~
- 108 ~~Health Association.~~
- 109 ~~(v) A representative of the Florida Association of Health~~
- 110 ~~Plans.~~
- 111 ~~(7) Members of the board of directors shall serve for 2-~~
- 112 ~~year terms and shall serve without compensation. Each~~

113 ~~organization represented on the board of directors shall cover~~
114 ~~the expenses of its representative.~~

115 ~~(8) The corporation, in consultation with the Department~~
116 ~~of Health and the Florida Center for Universal Research to~~
117 ~~Eradicate Disease, shall facilitate communication between~~
118 ~~biomedical researchers and health care providers each month~~
119 ~~according to the health awareness schedule established by the~~
120 ~~Florida Public Health Foundation, Inc., in order to ensure~~
121 ~~ongoing dialogue between researchers, treatment providers, and~~
122 ~~the department.~~

123 (7) ~~(9)~~ The corporation and the Department of Health shall
124 enter into partnerships with providers of continuing education
125 for health care practitioners, including, but not limited to,
126 hospitals and state and local medical organizations, to ensure
127 that practitioners are aware of the most recent and complete
128 diagnostic and treatment tools.

129 (8) ~~(10)~~ The corporation may provide personnel to the
130 Department of Health for the purpose of performing duties and
131 responsibilities outlined in private and public grants received
132 by the Department of Health. These personnel are not state
133 employees and are not entitled to retirement credit and other
134 benefits provided to state employees under chapters 110 and 112.
135 These personnel shall perform services pursuant to an agreement
136 between the corporation and the Department of Health.

137 (9) ~~(11)~~ The corporation may purchase goods, services, and
138 property for use by the Department of Health. These purchases
139 are not subject to the provisions of chapters 253, 255, and 287,
140 nor to the control or direction of the Department of

141 Environmental Protection or the Department of Management
 142 Services.

143 (10)~~(12)~~ The corporation shall provide an annual report
 144 concerning its activities ~~and finances to the Florida Center for~~
 145 ~~Universal Research to Eradicate Disease and shall provide copies~~
 146 ~~of the annual report to the Governor,~~ the President of the
 147 Senate~~,~~ and the Speaker of the House of Representatives.

148 Section 2. Paragraph (a) of subsection (5) of section
 149 381.855, Florida Statutes, is amended to read:

150 381.855 Florida Center for Universal Research to Eradicate
 151 Disease.--

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

154 (a) The council shall consist of one representative from a
 155 Florida not-for-profit institution engaged in basic and clinical
 156 biomedical research and education which receives more than \$10
 157 million in annual grant funding from the National Institutes of
 158 Health, to be appointed by the State Surgeon General from a
 159 different institution each term, and one representative from and
 160 appointed by each of the following entities:

- 161 1. Enterprise Florida, Inc.
- 162 2. BioFlorida.
- 163 3. The Biomedical Research Advisory Council.
- 164 4. The Florida Medical Foundation.
- 165 5. Pharmaceutical Research and Manufacturers of America.
- 166 6. The Florida Cancer Council.
- 167 7. The American Cancer Society, Florida Division, Inc.
- 168 8. The American Heart Association.

- 169 9. The American Lung Association of Florida.
- 170 10. The American Diabetes Association, South Coastal
- 171 Region.
- 172 11. The Alzheimer's Association.
- 173 12. The Epilepsy Foundation.
- 174 13. The National Parkinson Foundation.
- 175 14. The Florida Public Health Institute ~~Foundation~~, Inc.
- 176 15. The Florida Research Consortium.

177 Section 3. Section 381.911, Florida Statutes, is amended
 178 to read:

179 381.911 Prostate Cancer Awareness Program.--

180 (1) To the extent that funds are specifically made
 181 available for this purpose, the Prostate Cancer Awareness
 182 Program is established within the Department of Health. The
 183 purpose of this program is to implement the recommendations of
 184 January 2000 of the Florida Prostate Cancer Task Force to
 185 provide for statewide outreach and health education activities
 186 to ensure that men are aware of and appropriately seek medical
 187 counseling for prostate cancer as an early-detection health care
 188 measure.

189 (2) For purposes of implementing the program, the
 190 Department of Health and the Florida Public Health Institute
 191 ~~Foundation~~, Inc., may:

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

194 (b) Seek any available gifts, grants, or funds from the
 195 state, the Federal Government, philanthropic foundations, and
 196 industry or business groups.

197 (3) A prostate cancer advisory committee is created to
 198 advise and assist the Department of Health and the Florida
 199 Public Health Institute ~~Foundation~~, Inc., in implementing the
 200 program.

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

203 1. Three persons from prostate cancer survivor groups or
 204 cancer-related advocacy groups.

205 2. Three persons who are scientists or clinicians from
 206 public universities or research organizations.

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

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

214 (4) The program shall coordinate its efforts with those of
 215 the Florida Public Health Institute ~~Foundation~~, Inc.

216 Section 4. Section 381.981, Florida Statutes, is amended
 217 to read:

218 381.981 Health awareness campaigns.--

219 (1) The Florida Public Health Institute ~~Foundation~~, Inc.,
 220 in consultation with the Department of Health, shall coordinate
 221 monthly health awareness campaigns with national, state, and
 222 local health care organizations and government entities
 223 targeting a wide range of the public, including: parents;
 224 teachers and other school employees; students in 4th through

225 12th grades, colleges, and universities; state agency employees;
 226 county and local government employees; patients of county health
 227 departments; Medicaid recipients; health care professionals and
 228 providers; and the public in general.

229 (2) The awareness campaigns shall include the provision of
 230 educational information about preventing, detecting, treating,
 231 and curing the following diseases or conditions. Additional
 232 diseases and conditions that impact the public health may be
 233 added by the board of directors of the Florida Public Health
 234 Institute Foundation, Inc.; however, each of the following
 235 diseases or conditions must be included in an awareness campaign
 236 during at least 1 month in any 24-month period:

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

239 (b) Heart disease.

240 (c) Stroke.

241 (d) Lung disease, including asthma and smoking-relating
 242 disease.

243 (e) Neurological disorders and disease, including
 244 Alzheimer's disease, Parkinson's disease, and epilepsy.

245 (f) Gastrointestinal disease.

246 (g) Kidney disease.

247 (h) Diabetes.

248 (i) Liver disease.

249 (j) Autoimmune disorders.

250 (k) Birth defects and prenatal care.

251 (l) Obesity and malnutrition.

252 (m) Sexually transmissible disease.

253 (n) Hepatitis A, hepatitis B, and hepatitis C.

254 (o) Arthritis.

255 (p) Vaccine-preventable diseases.

256 (q) Infectious diseases, including HIV/AIDS.

257 (r) Substance abuse.

258 (s) Mental illness.

259 (t) Lupus.

260 (u) Osteoporosis.

261 (3) The health awareness campaigns shall be funded by the
 262 Florida Public Health Institute ~~Foundation~~, Inc., and the
 263 Department of Health to the extent that funds are available from
 264 public and private sources.

265 (4) Health awareness information shall be disseminated
 266 through all available methods, including print, audio, visual,
 267 and electronic media.

268 Section 5. This act shall take effect July 1, 2009.

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