

ENROLLED  
 HB 331, Engrossed 2

2009 Legislature

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~~

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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.

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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.~~

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- 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

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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

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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.

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- 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.

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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



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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.

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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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