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1 A bill to be entitled
2 An act relating to biomedical research; amending s.
3 20.435, F.S.; extending the period during which
4 certain expenditures may be made from the Biomedical
5 Research Trust Fund; amending s. 215.5602, F.S.,
6 relating to James and Esther King Biomedical Research
7 Program; revising the composition, terms, and duties
8 of the Biomedical Research Advisory Council; providing
9 that certain types of applications may, rather than
10 shall, be considered for funding under the program;
11 exempting grant programs under the purview of the
12 council from ch. 120, F.S.; requiring the council to
13 submit a progress report and specifying contents
14 thereof; amending s. 381.922, F.S., relating to
15 William G. "Bill" Bankhead, Jr., and David Coley
16 Cancer Research Program; providing that certain types
17 of applications may, rather than shall, be considered
18 for funding under the program; removing a requirement
19 for a report to the Governor and the Legislature;
20 amending s. 381.855, F.S., relating to Florida Center
21 for Universal Research to Eradicate Disease; revising
22 composition of an advisory council; providing an
23 effective date.

24
25 Be It Enacted by the Legislature of the State of Florida:
26

27 Section 1. Paragraph (c) of subsection (8) of section
28 20.435, Florida Statutes, is amended to read:

29 20.435 Department of Health; trust funds.—The following
 30 trust funds shall be administered by the Department of Health:

31 (8) Biomedical Research Trust Fund.

32 (c) Notwithstanding s. 216.301 and pursuant to s. 216.351,
 33 any balance of any appropriation from the Biomedical Research
 34 Trust Fund which is not disbursed but which is obligated
 35 pursuant to contract or committed to be expended may be carried
 36 forward for up to 5 ~~3~~ years following the effective date of the
 37 original appropriation.

38 Section 2. Paragraph (a) of subsection (3), paragraph (b)
 39 of subsection (5), and subsections (4), (6), (9), and (10) of
 40 section 215.5602, Florida Statutes, are amended to read:

41 215.5602 James and Esther King Biomedical Research
 42 Program.—

43 (3) There is created within the Department of Health the
 44 Biomedical Research Advisory Council.

45 (a) The council shall consist of 11 members, including:
 46 the chief executive officer of the Florida Division of the
 47 American Cancer Society, or a designee; the chief executive
 48 officer of the Greater Southeast Florida/Puerto Rico ~~Affiliate~~
 49 of the American Heart Association, or a designee; and the chief
 50 executive officer of the American Lung Association of Florida,
 51 or a designee. The remaining 8 members of the council shall be
 52 appointed as follows:

53 1. The Governor shall appoint four members, two members
 54 with expertise in the field of biomedical research, one member
 55 from a research university in the state, and one member
 56 representing the general population of the state.

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57 | 2. The President of the Senate shall appoint two members,
58 | one member with expertise in the field of behavioral or social
59 | research and one representative from a cancer program approved
60 | by the American College of Surgeons.

61 | 3. The Speaker of the House of Representatives shall
62 | appoint two members, one member from a professional medical
63 | organization and one representative from a cancer program
64 | approved by the American College of Surgeons.

65 |
66 | In making these appointments, the Governor, the President of the
67 | Senate, and the Speaker of the House of Representatives shall
68 | select primarily, but not exclusively, Floridians with
69 | biomedical and lay expertise in the general areas of cancer,
70 | cardiovascular disease, stroke, and pulmonary disease. The
71 | appointments shall be for a 3-year term and shall reflect the
72 | diversity of the state's population. An appointed member may not
73 | serve more than two consecutive terms. The first two
74 | appointments by the Governor and the first appointment by the
75 | President of the Senate and the Speaker of the House of
76 | Representatives on or after July 1, 2012, shall be for a term of
77 | 2 years.

78 | (4) The council shall advise the State Surgeon General as
79 | to the direction and scope of the biomedical research program.
80 | The responsibilities of the council may include, but are not
81 | limited to:

- 82 | (a) Providing advice on program priorities and emphases.
83 | (b) Providing advice on the overall program budget.
84 | (c) Participating in periodic program evaluation.

85 (d) Assisting in the development of guidelines to ensure
 86 fairness, neutrality, and adherence to the principles of merit
 87 and quality in the conduct of the program.

88 (e) Assisting in the development of appropriate linkages
 89 to nonacademic entities, such as voluntary organizations, health
 90 care delivery institutions, industry, government agencies, and
 91 public officials.

92 (f) Developing criteria and standards for the award of
 93 research grants.

94 (g) Developing administrative procedures relating to
 95 solicitation, review, and award of research grants and
 96 fellowships, to ensure an impartial, high-quality peer review
 97 system.

98 ~~(h) Developing and supervising research peer review~~
 99 ~~panels.~~

100 (h)~~(i)~~ Reviewing reports of peer review panels and making
 101 recommendations for research grants and fellowships.

102 (i)~~(j)~~ Developing and providing oversight regarding
 103 mechanisms for the dissemination of research results.

104 (5)

105 (b) Grants and fellowships shall be awarded by the State
 106 Surgeon General, after consultation with the council, on the
 107 basis of scientific merit, as determined by an open competitive
 108 peer review process that ensures objectivity, consistency, and
 109 high quality. The following types of applications may ~~shall~~ be
 110 considered for funding:

- 111 1. Investigator-initiated research grants.
- 112 2. Institutional research grants.

113 3. Predoctoral and postdoctoral research fellowships.

114 (6) To ensure that all proposals for research funding are
 115 appropriate and are evaluated fairly on the basis of scientific
 116 merit, the Department of Health ~~State Surgeon General, in~~
 117 ~~consultation with the council,~~ shall appoint a peer review panel
 118 of independent, scientifically qualified individuals to review
 119 the scientific content of each proposal and establish its
 120 scientific priority score. The priority scores shall be
 121 forwarded to the council and must be considered in determining
 122 which proposals shall be recommended for funding.

123 (9) The grant programs under the purview of the council
 124 are exempt from chapter 120 ~~department, after consultation with~~
 125 ~~the council, may adopt rules as necessary to implement this~~
 126 ~~section.~~

127 (10) The council shall submit a fiscal-year ~~an annual~~
 128 progress report on the programs under its purview ~~state of~~
 129 ~~biomedical research in this state~~ to the Florida Center for
 130 Universal Research to Eradicate Disease and to the Governor, the
 131 State Surgeon General, the President of the Senate, and the
 132 Speaker of the House of Representatives by December 15 ~~February~~
 133 1. The report must include:

134 (a) A list of research projects supported by grants or
 135 fellowships awarded under the program.

136 (b) A list of recipients of program grants or fellowships.

137 (c) A list of publications in peer reviewed journals
 138 involving research supported by grants or fellowships awarded
 139 under the program.

140 (d) The state ranking and total amount of biomedical

141 research funding currently flowing into the state from the
 142 National Institutes of Health.

143 (e) New grants for biomedical research which were funded
 144 based on research supported by grants or fellowships awarded
 145 under the program.

146 (f) Progress towards program goals, particularly in the
 147 prevention, diagnosis, treatment, and cure of diseases related
 148 to tobacco use, including cancer, cardiovascular disease,
 149 stroke, and pulmonary disease.

150 (g) Recommendations that further the program's mission.

151 Section 3. Paragraph (a) of subsection (3) and present
 152 subsection (4) of section 381.922, Florida Statutes, are
 153 amended, and subsection (5) is renumbered as subsection (4) of
 154 that section, to read:

155 381.922 William G. "Bill" Bankhead, Jr., and David Coley
 156 Cancer Research Program.—

157 (3)(a) Applications for funding for cancer research may be
 158 submitted by any university or established research institute in
 159 the state. All qualified investigators in the state, regardless
 160 of institutional affiliation, shall have equal access and
 161 opportunity to compete for the research funding. Collaborative
 162 proposals, including those that advance the program's goals
 163 enumerated in subsection (2), may be given preference. Grants
 164 shall be awarded by the State Surgeon General, after
 165 consultation with the Biomedical Research Advisory Council, on
 166 the basis of scientific merit, as determined by an open,
 167 competitive peer review process that ensures objectivity,
 168 consistency, and high quality. The following types of

169 applications may ~~shall~~ be considered for funding:

- 170 1. Investigator-initiated research grants.
- 171 2. Institutional research grants.
- 172 3. Collaborative research grants, including those that
- 173 advance the finding of cures through basic or applied research.

174 ~~(4) By December 15 of each year, the Department of Health~~
 175 ~~shall submit to the Governor, the President of the Senate, and~~
 176 ~~the Speaker of the House of Representatives a report indicating~~
 177 ~~progress towards the program's mission and making~~
 178 ~~recommendations that further its purpose.~~

179 Section 4. Paragraph (a) of subsection (5) of section
 180 381.855, Florida Statutes, is amended to read:

181 381.855 Florida Center for Universal Research to Eradicate
 182 Disease.—

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

185 (a) The council shall consist of one representative from a
 186 Florida not-for-profit institution engaged in basic and clinical
 187 biomedical research and education which receives more than \$10
 188 million in annual grant funding from the National Institutes of
 189 Health, to be appointed by the State Surgeon General from a
 190 different institution each term, and one representative from and
 191 appointed by each of the following entities:

- 192 1. Enterprise Florida, Inc.
- 193 2. BioFlorida.
- 194 3. The Biomedical Research Advisory Council.
- 195 4. The Florida Medical Foundation.
- 196 5. Pharmaceutical Research and Manufacturers of America.

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- 197 | 6. The American Cancer Society, Florida Division, Inc.
 198 | 7. The American Heart Association, Greater Southeast
 199 | Affiliate.
 200 | 8. The American Lung Association of Florida.
 201 | 9. The American Diabetes Association, South Coastal
 202 | Region.
 203 | 10. The Alzheimer's Association.
 204 | 11. The Epilepsy Foundation.
 205 | 12. The National Parkinson Foundation.
 206 | 13. The Florida Public Health Institute, Inc.
 207 | 14. The Florida Research Consortium.
 208 | Section 5. This act shall take effect July 1, 2012.