

HB 7153

2013

1 A bill to be entitled
2 An act relating to quality cancer care and research;
3 creating s. 381.925, F.S.; providing legislative
4 intent and goals; establishing a Cancer Center of
5 Excellence Award for providers that excel in providing
6 cancer care and treatment in this state; requiring the
7 Florida Cancer Control and Research Advisory Council
8 and the Biomedical Research Advisory Council to
9 jointly develop performance measures, a rating system,
10 and a rating standard in accordance with specified
11 criteria for applicants to qualify for the award;
12 providing minimum standards; authorizing a provider to
13 apply to the Department of Health for the award;
14 requiring the Florida Cancer Control and Research
15 Advisory Council and the Biomedical Research Advisory
16 Council to jointly develop an application form;
17 requiring the department to conduct two application
18 cycles each year; specifying that ch. 120, F.S., does
19 not apply to the applications or notification of
20 entities that are eligible for the award; requiring
21 the State Surgeon General to assemble an evaluation
22 team to assess applications; requiring each
23 application to be evaluated independently of any other
24 application; providing membership of and requirements
25 for the evaluation team; providing duties of the
26 members of the evaluation team; requiring the State
27 Surgeon General to notify the Governor of the
28 providers that are eligible to receive the award;

29 | limiting the duration of the award; authorizing an
30 | award-winning cancer provider to use the designation
31 | in its advertising and marketing; providing that an
32 | award-winning cancer provider is granted preference in
33 | competitive solicitations for a specified period of
34 | time; requiring the State Surgeon General to report to
35 | the Legislature by a specified date, and annually
36 | thereafter, the status of implementing the award
37 | program; requiring the Department of Health to adopt
38 | rules related to the application cycles and submission
39 | of the application forms; amending s. 215.5602, F.S.;
40 | revising the responsibilities of the Biomedical
41 | Research Advisory Council with regard to the Cancer
42 | Center of Excellence Award program; amending s.
43 | 381.922, F.S.; authorizing endowments under the
44 | William G. "Bill" Bankhead, Jr., and David Coley
45 | Cancer Research Program for establishing funded
46 | research chairs at research institutions contingent
47 | upon an appropriation; requiring submission of
48 | proposals; requiring that research institutions report
49 | certain information regarding the selected research
50 | chair of the endowment and other information about the
51 | endowment to the Governor and Legislature; providing
52 | for qualifications of the chair; specifying the use of
53 | the funds in the endowment; amending s. 1004.435,
54 | F.S.; revising the responsibilities of the Florida
55 | Cancer Control and Research Advisory Council with
56 | regard to the Cancer Center of Excellence Award

HB 7153

2013

57 program; providing an effective date.

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

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61 Section 1. Section 381.925, Florida Statutes, is created
62 to read:

63 381.925 Cancer Center of Excellence Award program.-

64 (1) The Legislature intends to recognize hospitals,
65 treatment centers, and other providers in this state which
66 demonstrate excellence in patient-centered, coordinated care for
67 persons undergoing cancer treatment and therapy in this state.
68 The goal of this program is to encourage excellence in cancer
69 care in this state, attract and retain the best cancer care
70 providers to the state, and help Florida providers be recognized
71 nationally as a preferred destination for quality cancer care.
72 The Cancer Center of Excellence Award will recognize providers
73 that exceed service standards and excel in providing a quality,
74 comprehensive, and patient-centered, coordinated care program.

75 (2) The Florida Cancer Control and Research Advisory
76 Council, established in s. 1004.435, and the Biomedical Research
77 Advisory Council, established in s. 215.5602, shall jointly
78 develop rigorous performance measures, a rating system, and a
79 rating standard that must be achieved to document and
80 distinguish a cancer center that excels in providing a quality,
81 comprehensive, and patient-centered coordinated care program. At
82 a minimum, the criteria must require that each hospital,
83 treatment center, or other provider:

84 (a) Maintain a license in this state which authorizes

HB 7153

2013

85 health care services to be provided. A provider may not have
86 been disciplined or subjected to any administrative enforcement
87 action by state or federal regulatory authorities within the
88 preceding 3 years.

89 (b) Be accredited by the Commission on Cancer of the
90 American College of Surgeons.

91 (c) Actively participate in at least one regional cancer
92 control collaborative that is operating pursuant to the Florida
93 Comprehensive Cancer Control Program's cooperative agreement
94 with the Centers for Disease Control and Prevention's National
95 Comprehensive Cancer Control Program.

96 (d) Meet enhanced cancer care coordination standards set
97 by the councils which, at a minimum, focus on:

98 1. Coordination of care by cancer specialists and nursing
99 and allied health professionals.

100 2. Psychosocial assessment and services.

101 3. Suitable and timely referrals and followup.

102 4. Providing accurate and complete information on
103 treatment options, including clinical trials, which consider
104 each person's needs, preferences, and resources, whether
105 provided by that center or available through other health care
106 providers.

107 5. Participation in a comprehensive network of cancer
108 specialists of multiple disciplines, which enables the patient
109 to consult with a variety of experts to examine treatment
110 alternatives.

111 6. Family services and support.

112 7. Aftercare and survivor services.

HB 7153

2013

113 8. Patient and family satisfaction survey results.

114 (3) (a) A provider may apply to the Department of Health
115 for a Cancer Center of Excellence Award. The Florida Cancer
116 Control and Research Advisory Council and the Biomedical
117 Research Advisory Council shall jointly develop an application
118 form that requires, among other things, submission of
119 documentation by the provider which demonstrates that the
120 criteria in subsection (2) have been met.

121 (b) The Department of Health shall annually conduct two
122 application cycles. The applications are not applications for
123 licensure, the notification by the State Surgeon General to the
124 Governor of the entities that are eligible for the award is not
125 final agency action, and the Cancer Center of Excellence Award
126 program is not subject to the provisions of chapter 120.

127 (4) (a) The State Surgeon General shall appoint a team of
128 independent evaluators to assess applicants to determine
129 eligibility for the award. An application is to be evaluated
130 independently of any other application. The team shall consist
131 of five evaluators to be selected, in any combination, from the
132 following:

133 1. No more than five health care practitioners or health
134 care facilities not licensed in this state which provide health
135 care services involving cancer diagnoses or treatment;

136 2. No more than three members from the Florida Cancer
137 Control and Research Advisory Council;

138 3. No more than two members from the Biomedical Research
139 Advisory Council; and

140 4. No more than one layperson who has experience as a

HB 7153

2013

141 cancer patient or as a family member of a cancer patient if that
142 person or his or her family member did not receive care from the
143 applicant or providers being evaluated.

144 (b) Each evaluator must be independent and free of any
145 conflict of interest with respect to a health care provider or
146 facility licensed in this state. Each person selected to
147 participate on the evaluation team must sign a conflict of
148 interest attestation before being appointed to the evaluation
149 team.

150 (5) (a) Two evaluation team members may, as necessary,
151 verify onsite documentation submitted with an application for
152 the award.

153 (b) Each member on the evaluation team shall report to the
154 State Surgeon General those applicants that achieved or exceeded
155 the required score based on the rating system developed in
156 subsection (2) which demonstrates the cancer center excels in
157 providing a quality, comprehensive, and patient-centered
158 coordinated care program.

159 (6) The State Surgeon General shall notify the Governor
160 regarding the providers that are eligible to receive the Cancer
161 Center of Excellence Award.

162 (7) The award shall be recognized for a period of 3 years
163 from the date of the award. A provider may reapply for
164 subsequent awards.

165 (8) A provider that receives a Cancer Center of Excellence
166 Award may use the designation in its advertising and marketing
167 for up to 3 years from the date of the award. In addition, a
168 provider that receives a Cancer Center of Excellence Award may

HB 7153

2013

169 be granted, for 3 years from the date of the award, a preference
170 in competitive solicitations undertaken by a state agency or
171 state university.

172 (9) The State Surgeon General shall report to the
173 President of the Senate and the Speaker of the House of
174 Representatives by January 31, 2014, and annually thereafter,
175 the status of implementing the Cancer Center of Excellence Award
176 program, metrics on the number of applications received and the
177 number of award recipients by application cycle, a list of award
178 recipients, and recommendations for legislation to strengthen
179 the program.

180 (10) The Department of Health shall adopt rules related to
181 the application cycles and submission of the application form.

182 Section 2. Paragraph (j) is added to subsection (4) of
183 section 215.5602, Florida Statutes, to read:

184 215.5602 James and Esther King Biomedical Research
185 Program.—

186 (4) The council shall advise the State Surgeon General as
187 to the direction and scope of the biomedical research program.
188 The responsibilities of the council may include, but are not
189 limited to:

190 (j) With the Florida Cancer Control and Research Advisory
191 Council, jointly developing performance measures, a rating
192 system, a rating standard, and an application form for the
193 Cancer Center of Excellence Award created in s. 381.925. The
194 council shall also support the State Surgeon General in
195 implementing the award program by ensuring that at least two
196 members of the council, who must be independent of the

HB 7153

2013

197 applicants for the award, are available to serve on the
198 evaluation team as requested by the State Surgeon General. The
199 council shall advise the State Surgeon General with respect to
200 the Cancer Center of Excellence Award program.

201 Section 3. Subsection (4) of section 381.922, Florida
202 Statutes, is renumbered as subsection (5), and a new subsection
203 (4) is added to that section to read:

204 381.922 William G. "Bill" Bankhead, Jr., and David Coley
205 Cancer Research Program.—

206 (4) In order to attract and retain experienced research
207 talent and attendant national grant-producing researchers to
208 cancer research institutions in this state, the Department of
209 Health shall award endowments to cancer research institutions
210 for establishing a funded research chair, pursuant to the
211 General Appropriations Act specifying an appropriation for this
212 purpose. The purpose of the endowment is to provide a secure
213 funding for at least 7 years to attract an experienced and
214 promising researcher whose continued employment for this period
215 is not contingent upon grant awards associated with time-limited
216 research projects. In addition, the Legislature intends for a
217 chair to specialize in a cancer-related research field that will
218 facilitate coordination among research institutions within the
219 state and attract other promising researchers and funding to the
220 state.

221 (a) Any research institution funded pursuant to this
222 subsection shall provide to the Governor, the President of the
223 Senate, and the Speaker of the House of Representatives a report
224 that must, at a minimum, describe the research program and

HB 7153

2013

225 general responsibilities of the researcher who is to be selected
226 for the endowed chair. Upon final selection of the research
227 chair, or if it becomes necessary to identify a replacement
228 research chair, the research institution shall notify the chair
229 of the Appropriations Committee of the Senate and the chair of
230 the Appropriations Committee of the House of Representatives the
231 research chair's name, the endowment budget, and the specific
232 research responsibilities.

233 (b) The research institution shall annually report to the
234 President of the Senate and the Speaker of the House of
235 Representatives regarding:

236 1. The research chair's name, his or her current salary
237 and research responsibilities, and the percentage of the chair's
238 time devoted to research if the chair also serves as a member of
239 the faculty;

240 2. Research progress and progress toward achieving the
241 goals of this program; and

242 3. Endowment expenditures and balance, interest rate, and
243 interest earned on the endowment.

244 Section 4. Paragraph (r) of subsection (4) of section
245 1004.435, Florida Statutes, is redesignated as paragraph (s),
246 and a new paragraph (r) is added to that subsection to read:

247 1004.435 Cancer control and research.—

248 (4) FLORIDA CANCER CONTROL AND RESEARCH ADVISORY COUNCIL;
249 CREATION; COMPOSITION.—

250 (r) The council shall, with the Biomedical Research
251 Advisory Council, jointly develop performance measures, a rating
252 system, a rating standard, and an application form for the

HB 7153

2013

253 Cancer Center of Excellence Award created in s. 381.925. The
254 council shall also support the State Surgeon General in
255 implementing the Cancer Center of Excellence Award program by
256 ensuring that at least three members of the council, who must be
257 independent of the applicants for the award, are available to
258 serve on the evaluation team as requested by the State Surgeon
259 General. The council shall advise the State Surgeon General with
260 respect to the Cancer Center of Excellence Award program.

261 Section 5. This act shall take effect July 1, 2013.