

Amendment No.

CHAMBER ACTION

Senate

House

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1 The Conference Committee on HB 5303 offered the following:

2
3 **Conference Committee Amendment (with title amendment)**

4 Remove everything after the enacting clause and insert:

5 Section 1. Paragraph (a) of subsection (7) of section
6 20.435, Florida Statutes, is amended to read:

7 20.435 Department of Health; trust funds.—The following
8 trust funds shall be administered by the Department of Health:

9 (7) Biomedical Research Trust Fund.

10 (a) Funds to be credited to the trust fund shall consist
11 of funds appropriated by the Legislature. Funds shall be used
12 for the purposes of the James and Esther King Biomedical
13 Research Program, the Casey DeSantis Cancer Research Program,

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14 ~~and~~ the William G. "Bill" Bankhead, Jr., and David Coley Cancer
15 Research Program as specified in ss. 215.5602, ~~288.955~~, 381.915,
16 and 381.922, and other cancer research initiatives as
17 appropriated by the Legislature. The trust fund is exempt from
18 the service charges imposed by s. 215.20.

19 Section 2. Subsections (7), (8), and (9) of section
20 381.915, Florida Statutes, are renumbered as subsections (8),
21 (9), and (10), respectively, subsection (2), paragraph (b) of
22 subsection (3), subsection (4), and paragraph (a) of present
23 subsection (7) are amended, and a new subsection (7) is added to
24 that section, to read:

25 381.915 Casey DeSantis Cancer Research Program.—

26 (2) The Casey DeSantis Cancer Research Program is
27 established to enhance the quality and competitiveness of cancer
28 care in this state, further a statewide biomedical research
29 strategy directly responsive to the health needs of Florida's
30 citizens, and capitalize on the potential educational
31 opportunities available to its students. The department shall
32 make payments to ~~Florida-based~~ cancer centers recognized by the
33 National Cancer Institute (NCI) at the National Institutes of
34 Health as NCI-designated cancer centers or NCI-designated
35 comprehensive cancer centers, and cancer centers working toward
36 achieving NCI designation. The department shall distribute funds
37 to participating cancer centers on a quarterly basis during each
38 fiscal year for which an appropriation is made.

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39 (3) On or before September 15 of each year, the department
40 shall calculate an allocation fraction to be used for
41 distributing funds to participating cancer centers. On or before
42 the final business day of each quarter of the state fiscal year,
43 the department shall distribute to each participating cancer
44 center one-fourth of that cancer center's annual allocation
45 calculated under subsection (6). The allocation fraction for
46 each participating cancer center is based on the cancer center's
47 tier-designated weight under subsection (4) multiplied by each
48 of the following allocation factors based on activities in this
49 state: number of reportable cases, peer-review costs, and
50 biomedical education and training. As used in this section, the
51 term:

52 (b) "Cancer center" means a comprehensive center with at
53 least one geographic site in the state, a freestanding center
54 located in the state, a center situated within an academic
55 institution, or a Florida-based formal research-based consortium
56 under centralized leadership that has achieved NCI designation
57 or is prepared to achieve NCI designation by June 30, 2024 ~~July~~
58 ~~1, 2019~~.

59 (4) Tier designations and corresponding weights within the
60 Casey DeSantis Cancer Research Program are as follows:

61 (a) Tier 1: ~~Florida-based~~ NCI-designated comprehensive
62 cancer centers, which shall be weighted at 1.5.

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63 (b) Tier 2: ~~Florida-based~~ NCI-designated cancer centers,
64 which shall be weighted at 1.25.

65 (c) Tier 3: ~~Florida-based~~ Cancer centers seeking
66 designation as either a NCI-designated cancer center or NCI-
67 designated comprehensive cancer center, which shall be weighted
68 at 1.0.

69 1. A cancer center shall meet the following minimum
70 criteria to be considered eligible for Tier 3 designation in any
71 given fiscal year:

72 a. Conducting cancer-related basic scientific research and
73 cancer-related population scientific research;

74 b. Offering and providing the full range of diagnostic and
75 treatment services on site, as determined by the Commission on
76 Cancer of the American College of Surgeons;

77 c. Hosting or conducting cancer-related interventional
78 clinical trials that are registered with the NCI's Clinical
79 Trials Reporting Program;

80 d. Offering degree-granting programs or affiliating with
81 universities through degree-granting programs accredited or
82 approved by a nationally recognized agency and offered through
83 the center or through the center in conjunction with another
84 institution accredited by the Commission on Colleges of the
85 Southern Association of Colleges and Schools;

86 e. Providing training to clinical trainees, medical
87 trainees accredited by the Accreditation Council for Graduate

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88 Medical Education or the American Osteopathic Association, and
89 postdoctoral fellows recently awarded a doctorate degree; and

90 f. Having more than \$5 million in annual direct costs
91 associated with their total NCI peer-reviewed grant funding.

92 2. The General Appropriations Act or accompanying
93 legislation may limit the number of cancer centers which shall
94 receive Tier 3 designations or provide additional criteria for
95 such designation.

96 3. A cancer center's participation in Tier 3 may not
97 extend beyond June 30, 2024.

98 4. A cancer center that qualifies as a designated Tier 3
99 center under the criteria provided in subparagraph 1. by July 1,
100 2014, is authorized to pursue NCI designation as a cancer center
101 or a comprehensive cancer center until June 30, 2024.

102 (7) The amount of \$37,771,257 from the total funds
103 appropriated in the General Appropriations Act for the Casey
104 DeSantis Cancer Research Program shall be excluded from the
105 annual allocation fraction calculation under subsection (5). The
106 excluded amount shall be distributed to participating cancer
107 centers in the same proportion as determined by the allocation
108 fraction calculation.

109 ~~(8)(7)~~ Beginning July 1, 2017, and every 3 years
110 thereafter, the department, in conjunction with participating
111 cancer centers, shall submit a report to the Cancer Control and
112 Research Advisory Council on specific metrics relating to cancer

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113 mortality and external funding for cancer-related research in
114 the state. If a cancer center does not endorse this report or
115 produce an equivalent independent report, the cancer center
116 shall be suspended from the program for 1 year. The report must
117 include:

118 (a) An analysis of trending age-adjusted cancer mortality
119 rates in the state, which must include, at a minimum, overall
120 age-adjusted mortality rates for cancer statewide and age-
121 adjusted mortality rates by age group, geographic region, and
122 type of cancer, which must include, at a minimum:

- 123 1. Lung cancer.
- 124 2. Pancreatic cancer.
- 125 3. Sarcoma.
- 126 4. Melanoma.
- 127 5. Leukemia and myelodysplastic syndromes.
- 128 6. Brain cancer.
- 129 7. Breast cancer.

130 Section 3. Subsection (4) of section 381.922, Florida
131 Statutes, is amended to read:

132 381.922 William G. "Bill" Bankhead, Jr., and David Coley
133 Cancer Research Program.—

134 ~~(4) In order to attract and retain experienced research~~
135 ~~talent and attendant national grant-producing researchers to~~
136 ~~integrated cancer research and care institutions in this state,~~
137 ~~the Department of Health shall award endowments to integrated~~

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138 ~~cancer research and care institutions for establishing a funded~~
139 ~~research chair, pursuant to the General Appropriations Act,~~
140 ~~specifying an appropriation for this purpose. Funding for the~~
141 ~~endowed chairs must be independent of funds appropriated~~
142 ~~pursuant to s. 215.5602(12). The purpose of the endowment is to~~
143 ~~provide secure funding for at least 7 years to attract an~~
144 ~~experienced and promising researcher whose continued employment~~
145 ~~for this period is not contingent upon grant awards associated~~
146 ~~with time-limited research projects. In addition, the~~
147 ~~Legislature intends for a research chair to specialize in a~~
148 ~~cancer-related research field that will facilitate coordination~~
149 ~~among research institutions within the state and attract other~~
150 ~~promising researchers and funding to the state.~~

151 ~~(a) Upon selection of an endowed research chair, the~~
152 ~~institution shall notify the chairs of the appropriations~~
153 ~~committees of the Senate and the House of Representatives. An~~
154 ~~institution funded pursuant to this subsection shall provide to~~
155 ~~the Governor, the President of the Senate, and the Speaker of~~
156 ~~the House of Representatives an annual progress report by~~
157 ~~December 15 that must, at a minimum, provide the research~~
158 ~~chair's name; the amount of the endowment fund used for the~~
159 ~~chair's salary; research responsibilities; the percentage of~~
160 ~~time devoted to research if the chair also serves as a member of~~
161 ~~the faculty; research progress; progress toward achieving the~~
162 ~~goals of this program; endowment expenditures; balance, interest~~

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163 ~~rate, and interest earned on the endowment; and the amount of~~
164 ~~federal or private grants or donations generated, if any, as a~~
165 ~~result of the research chair's efforts.~~

166 ~~(b) If an institution must replace an endowed research~~
167 ~~chair, the endowment must cease funding expenses associated with~~
168 ~~the endowed research chair, other than reasonable costs for~~
169 ~~recruitment, until a replacement chair has been retained. While~~
170 ~~the endowed research chair is vacant, the endowment must~~
171 ~~continue to earn interest and all earnings must be added to the~~
172 ~~balance of the endowment. A vacancy tolls the 7-year timeframe~~
173 ~~for the endowed research chair.~~

174 Section 4. This act shall take effect July 1, 2023.

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

178 Remove everything before the enacting clause and insert:

179 A bill to be entitled

180 An act relating to biomedical research; amending s.
181 20.435, F.S.; expanding the uses of the Biomedical
182 Research Trust Fund; amending s. 381.915, F.S.;
183 revising a definition; authorizing a specified amount
184 from the total appropriated funds for the Casey
185 DeSantis Cancer Research Program to be distributed to
186 participating cancer centers; requiring a report for
187 specified statewide cancer statistics to include

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188 | breast cancer; amending s. 381.922, F.S.; removing a
189 | certain award of an endowment for a specified program;
190 | providing an effective date.

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