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LEGISLATIVE ACTION

| Senate | . | House |
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The Conference Committee on CS/CS/SB 1660, 1st Eng. recommended the following:

Senate Conference Committee Amendment (with title amendment)

Delete everything after the enacting clause and insert:

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

381.925 Cancer Center of Excellence Award.-

(1) The Legislature intends to recognize hospitals, treatment centers, and other providers in this state which demonstrate excellence in patient-centered coordinated care for persons undergoing cancer treatment and therapy in this state.



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13 The goal of this program is to encourage excellence in cancer
14 care in this state, attract and retain the best cancer care
15 providers to the state, and help Florida providers be recognized
16 nationally as a preferred destination for quality cancer care.
17 The Cancer Center of Excellence Award will recognize providers
18 that exceed service standards and excel in providing quality,
19 comprehensive, and patient-centered coordinated care.

20 (2) The Florida Cancer Control and Research Advisory
21 Council, established in s. 1004.435, and the Biomedical Research
22 Advisory Council, established in s. 215.5602, shall select seven
23 members and six members, respectively, to form a joint
24 committee.

25 (a) The joint committee, consisting of 13 members, shall:

26 1. By January 1, 2014, develop rigorous performance
27 measures, a rating system, and a rating standard that must be
28 achieved to document and distinguish a cancer center that excels
29 in providing quality, comprehensive, and patient-centered
30 coordinated care.

31 2. Review at least every 3 years and revise, if applicable,
32 the performance measures, rating system, and rating standard to
33 ensure providers are continually enhancing their programs to
34 reflect best practices and advances in cancer treatment and care
35 from the perspective of quality, comprehensive and patient-
36 centered coordinated care.

37 3. Submit its proposed performance measures, rating system,
38 and rating standard to the Florida Cancer Control and Research
39 Advisory Council and the Biomedical Research Advisory Council to
40 be approved by both councils prior to the evaluation of any
41 provider under such criteria.



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42 (b) The criteria established by the joint committee must
43 require, at a minimum, that each hospital, treatment center, or
44 other provider:

45 1. Maintain a license in good standing in this state which
46 authorizes health care services to be provided.

47 2. Be accredited by the Commission on Cancer of the
48 American College of Surgeons.

49 3. Actively participate in at least one regional cancer
50 control collaborative that is operating pursuant to the Florida
51 Comprehensive Cancer Control Program's cooperative agreement
52 with the Centers for Disease Control and Prevention's National
53 Comprehensive Cancer Control Program.

54 4. Demonstrate excellence in and dissemination of
55 scientifically rigorous cancer research.

56 5. Integrate training and education of biomedical
57 researchers and health care professionals.

58 6. Meet enhanced cancer care coordination standards which,
59 at a minimum, focus on:

60 a. Coordination of care by cancer specialists and nursing
61 and allied health professionals.

62 b. Psychosocial assessment and services.

63 c. Suitable and timely referrals and followup.

64 d. Providing accurate and complete information on treatment
65 options, including clinical trials, which consider each person's
66 needs, preferences, and resources, whether provided by that
67 center or available through other health care providers.

68 e. Participation in a comprehensive network of cancer
69 specialists of multiple disciplines, which enables the patient
70 to consult with a variety of experts to examine treatment



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71 alternatives.

72 f. Family services and support.

73 g. Aftercare and survivor services.

74 h. Patient and family satisfaction survey results.

75 (c) The members of the joint committee shall serve without
76 compensation but may receive reimbursement as provided in s.
77 112.061 for travel and other necessary expenses incurred in the
78 performance of their official duties.

79 (d) The Department of Health shall provide such staff,
80 information, and other assistance as is reasonably necessary to
81 assist the joint committee in carrying out its responsibilities.

82 (3) (a) A provider may apply to the Department of Health for
83 a Cancer Center of Excellence Award. The joint committee must
84 develop an application form to be used by the Department of
85 Health that requires, among other things, submission of
86 documentation by the provider which demonstrates that the
87 criteria in subsection (2) have been met.

88 (b) After January 1, 2014, the Department of Health shall
89 annually conduct two application cycles. The applications are
90 not applications for licensure; the grant of the award by the
91 State Surgeon General is not final agency action; and the Cancer
92 Center of Excellence Award program is not subject to the
93 provisions of chapter 120.

94 (4) (a) The State Surgeon General shall appoint a team of
95 independent evaluators to assess applicants to determine
96 eligibility for the award. An application is to be evaluated
97 independently of any other application. The team shall consist
98 of five evaluators to be selected, in any combination, from the
99 following:



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

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

105 3. No more than two members from the Biomedical Research
106 and Advisory Council; and

107 4. No more than one layperson who has experience as a
108 cancer patient or as a family member of a cancer patient if that
109 person or his or her family member did not receive care from the
110 applicant or providers being evaluated.

111 (b) Each evaluator must be independent and free of any
112 conflict of interest with respect to a health care provider or
113 facility licensed in this state. Each person selected to
114 participate on the evaluation team must sign a conflict of
115 interest attestation before being appointed to the evaluation
116 team.

117 (5) (a) Two evaluation team members may, as necessary,
118 conduct an onsite evaluation to verify submitted application
119 documentation.

120 (b) Each member on the evaluation team shall report to the
121 State Surgeon General those applicants that achieved or exceeded
122 the required score based on the rating system developed in
123 subsection (2) which demonstrates the cancer center excels in
124 providing quality, comprehensive, and patient-centered
125 coordinated care.

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



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129 (7) The award shall be recognized for a period of 3 years
130 after the date of the award. A provider may reapply for
131 subsequent awards.

132 (8) A provider that receives a Cancer Center of Excellence
133 Award may use the designation in its advertising and marketing
134 for up to 3 years after the date of the award. In addition, a
135 provider that receives a Cancer Center of Excellence Award may
136 be granted, for 3 years after the date of the award, a
137 preference in competitive solicitations related to cancer care
138 or research undertaken by a state agency or state university.

139 (9) The State Surgeon General shall report to the President
140 of the Senate and the Speaker of the House of Representatives by
141 January 31, 2014, the status of implementing the Cancer Center
142 of Excellence Award program, and by December 15 annually
143 thereafter, the number of applications received, the number of
144 award recipients by application cycle, a list of award
145 recipients, and recommendations to strengthen the program.

146 (10) The Department of Health shall adopt necessary rules
147 related to the application cycles and submission of the
148 application form.

149 Section 2. Paragraph (j) is added to subsection (4) of
150 section 215.5602, Florida Statutes, and subsection (12) of that
151 section is amended, to read:

152 215.5602 James and Esther King Biomedical Research
153 Program.—

154 (4) The council shall advise the State Surgeon General as
155 to the direction and scope of the biomedical research program.
156 The responsibilities of the council may include, but are not
157 limited to:



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158 (j) The council shall select, by majority vote, six members
159 of the council who must combine with seven members of the
160 Florida Cancer Control and Research Advisory Council to form a
161 joint committee to develop performance measures, a rating
162 system, a rating standard, and an application form for the
163 Cancer Center of Excellence Award created in s. 381.925.

164 (12) (a) Beginning in the 2011-2012 fiscal year and
165 thereafter, \$25 million from the revenue deposited into the
166 Health Care Trust Fund pursuant to ss. 210.011(9) and 210.276(7)
167 shall be reserved for research of tobacco-related or cancer-
168 related illnesses. Of the revenue deposited in the Health Care
169 Trust Fund pursuant to this section, \$25 million shall be
170 transferred to the Biomedical Research Trust Fund within the
171 Department of Health. Subject to annual appropriations in the
172 General Appropriations Act, \$5 million shall be appropriated to
173 the James and Esther King Biomedical Research Program, \$5
174 million shall be appropriated to the William G. "Bill" Bankhead,
175 Jr., and David Coley Cancer Research Program created under s.
176 381.922, \$5 million shall be appropriated to the H. Lee Moffitt
177 Cancer Center and Research Institute established under s.
178 1004.43, \$5 million shall be appropriated to the Sylvester
179 Comprehensive Cancer Center of the University of Miami, and \$5
180 million shall be appropriated to the Shands Cancer Hospital.

181 (b) Beginning July 1, 2014, an entity which performs or is
182 associated with cancer research or care that receives a specific
183 appropriation for biomedical research, research-related
184 functions, operations or other supportive functions, or
185 expansion of operations in the General Appropriations Act
186 without statutory reporting requirements for the receipt of



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187 those funds, must submit an annual fiscal-year progress report
188 to the President of the Senate and the Speaker of the House of
189 Representatives by December 15. The report must:

190 1. Describe the general use of the funds.

191 2. Specify the research, if any, funded by the
192 appropriation.

193 3. Describe any fixed capital outlay project funded by the
194 appropriation, the need for the project, how the project will be
195 utilized, and the timeline for and status of the project, if
196 applicable.

197 4. Identify any federal or private grants or donations
198 generated as a result of the appropriation or activities funded
199 by the appropriation, if applicable and traceable.

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

203 381.922 William G. "Bill" Bankhead, Jr., and David Coley
204 Cancer Research Program.—

205 (4) In order to attract and retain experienced research
206 talent and attendant national grant-producing researchers to
207 integrated cancer research and care institutions in this state,
208 the Department of Health shall award endowments to integrated
209 cancer research and care institutions for establishing a funded
210 research chair, pursuant to the General Appropriations Act,
211 specifying an appropriation for this purpose. Funding for the
212 endowed chairs must be independent of funds appropriated
213 pursuant to s. 215.5602(12). The purpose of the endowment is to
214 provide secure funding for at least 7 years to attract an
215 experienced and promising researcher whose continued employment



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216 for this period is not contingent upon grant awards associated
217 with time-limited research projects. In addition, the
218 Legislature intends for a research chair to specialize in a
219 cancer-related research field that will facilitate coordination
220 among research institutions within the state and attract other
221 promising researchers and funding to the state.

222 (a) Upon selection of an endowed research chair, the
223 institution shall notify the chairs of the appropriations
224 committees of the Senate and the House of Representatives. An
225 institution funded pursuant to this subsection shall provide to
226 the Governor, the President of the Senate, and the Speaker of
227 the House of Representatives an annual progress report by
228 December 15 that must, at a minimum, provide the research
229 chair's name; the amount of the endowment fund used for the
230 chair's salary; research responsibilities; the percentage of
231 time devoted to research if the chair also serves as a member of
232 the faculty; research progress; progress toward achieving the
233 goals of this program; endowment expenditures; balance, interest
234 rate, and interest earned on the endowment; and the amount of
235 federal or private grants or donations generated, if any, as a
236 result of the research chair's efforts.

237 (b) If an institution must replace an endowed research
238 chair, the endowment must cease funding expenses associated with
239 the endowed research chair, other than reasonable costs for
240 recruitment, until a replacement chair has been retained. While
241 the endowed research chair is vacant, the endowment must
242 continue to earn interest and all earnings must be added to the
243 balance of the endowment. A vacancy tolls the 7-year timeframe
244 for the endowed research chair.



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

249 1004.435 Cancer control and research.—

250 (4) FLORIDA CANCER CONTROL AND RESEARCH ADVISORY COUNCIL;
251 CREATION; COMPOSITION.—

252 (r) The council shall select, by majority vote, seven
253 members of the council who must combine with six members of the
254 Biomedical Research Advisory Council to form a joint committee
255 to develop performance measures, a rating system, a rating
256 standard, and an application form for the Cancer Center of
257 Excellence Award created in s. 381.925.

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

259
260 ===== T I T L E A M E N D M E N T =====

261 And the title is amended as follows:

262 Delete everything before the enacting clause
263 and insert:

264 A bill to be entitled
265 An act relating to quality cancer care and research;
266 creating s. 381.925, F.S.; providing legislative
267 intent and goals; establishing a Cancer Center of
268 Excellence Award for providers that excel in providing
269 cancer care and treatment in this state; requiring the
270 Florida Cancer Control and Research Advisory Council
271 and the Biomedical Research Advisory Council to each
272 select a certain number of members to form a joint
273 committee to develop and periodically update



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274 performance measures, a rating system, and a rating
275 standard in accordance with specified criteria for
276 applicants to qualify for the award; requiring
277 approval by both councils of the performance measures,
278 rating system, and rating standard developed by the
279 joint committee; providing minimum standards;
280 prohibiting members of the joint committee from being
281 compensated, but authorizing reimbursement for travel
282 and other necessary expenses; authorizing a provider
283 to apply to the Department of Health for the award;
284 requiring the joint committee to develop an
285 application form; requiring the department to conduct
286 two application cycles each year; specifying that ch.
287 120, F.S., does not apply to the applications for or
288 the award of the grant by the State Surgeon General;
289 requiring the State Surgeon General to assemble an
290 evaluation team to assess applications; requiring each
291 application to be evaluated independently of any other
292 application; providing membership of and requirements
293 for the evaluation team; providing duties of the
294 members of the evaluation team; requiring the award to
295 be presented to eligible institutions by the Governor
296 and the Surgeon General; limiting the duration of the
297 award; authorizing an award-winning cancer provider to
298 use the designation in its advertising and marketing;
299 providing that an award-winning cancer provider is
300 granted preference in competitive solicitations
301 related to cancer care or research for a specified
302 period of time; requiring the State Surgeon General to



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303 report certain information to the Legislature by a
304 specified date and annually thereafter; requiring the
305 Department of Health to adopt rules related to the
306 application cycles and submission of the application
307 forms; amending s. 215.5602, F.S.; revising the
308 responsibilities of the Biomedical Research Advisory
309 Council with regard to the Cancer Center of Excellence
310 Award program; requiring entities receiving an
311 appropriation in the General Appropriations Act to
312 submit an annual fiscal-year progress report to the
313 Legislature by a specified date; amending s. 381.922,
314 F.S.; authorizing endowments, subject to an
315 appropriation, under the William G. "Bill" Bankhead,
316 Jr., and David Coley Cancer Research Program for
317 establishing funded research chairs at integrated
318 research and care institutions; providing procedures
319 if the endowed research chair becomes vacant;
320 requiring that research institutions report certain
321 information regarding the selected endowed research
322 chair and other information about the endowment;
323 providing for qualifications of the endowed research
324 chair; specifying the use of the funds in the
325 endowment; amending s. 1004.435, F.S.; revising the
326 responsibilities of the Florida Cancer Control and
327 Research Advisory Council with regard to the Cancer
328 Center of Excellence Award program; providing an
329 effective date.