

Proposed Committee Substitute by the Committee on Health Care

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

A bill to be entitled

An act relating to biomedical research;
providing legislative intent; amending s.
561.121, F.S.; redistributing certain funds
collected from taxes on alcoholic beverages;
amending s. 381.855, F.S.; revising the purpose
of the Florida Center for Universal Research to
Eradicate Disease; requiring the center to
provide grants for cancer research and
Alzheimer's disease research; revising
membership of the center's advisory council;
providing procedures for the awarding of grants
for cancer research and Alzheimer's disease
research; amending s. 381.921, F.S.; revising a
goal of the Florida Cancer Council; providing
an effective date.

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

Section 1. It is the intent of the Legislature to
provide increased funding to support grants for biomedical
research in this state with the anticipation that sustained
funding for biomedical research over a period of years will
lead to an alleviation of human suffering from diseases such
as cancer and Alzheimer's disease. It is the intent of the
Legislature to dramatically reduce this state's inordinately
high cancer burden, reducing both cancer incidence and
mortality, while advancing scientific endeavors in this state,
making this state a world-class leader in cancer research and
treatment. Further, it is the intent of the Legislature to
support Alzheimer's disease research statewide through the

Barcode 920598

1 awarding of research grants on a competitive basis.
 2 Additionally, it is the intent of the Legislature to stimulate
 3 dramatic economic development, particularly in the biotech
 4 industry, through investment in this state's biomedical
 5 research.

6 Section 2. Subsection (1) of section 561.121, Florida
 7 Statutes, is amended to read:

8 561.121 Deposit of revenue.--

9 (1) All state funds collected pursuant to ss. 563.05,
 10 564.06, and 565.12 shall be paid into the State Treasury and
 11 disbursed in the following manner:

12 (a)1. Two percent of monthly collections of the excise
 13 taxes on alcoholic beverages established in ss. 563.05,
 14 564.06, and 565.12 shall be deposited into the Alcoholic
 15 Beverage and Tobacco Trust Fund to meet the division's
 16 appropriation for the state fiscal year.

17 ~~2. Beginning July 1, 2004, there is annually~~
 18 ~~distributed \$15 million to the Grants and Donations Trust Fund~~
 19 ~~within the Department of Elderly Affairs, and these funds are~~
 20 ~~annually appropriated to support a contract with the Johnnie~~
 21 ~~B. Byrd, Sr., Alzheimer's Center and Research Institute at the~~
 22 ~~University of South Florida for the purposes of conducting~~
 23 ~~research, developing and operating integrated data projects,~~
 24 ~~and providing assistance to memory disorder clinics as~~
 25 ~~established in s. 430.502.~~

26 ~~2.3.~~ Beginning July 1, 2004, there is annually
 27 distributed \$6 million to the Biomedical Research Trust Fund
 28 within the Department of Health, and these funds are annually
 29 appropriated to the James and Esther King Biomedical Research
 30 Program. ~~From these funds, up to \$250,000 shall be available~~
 31 ~~annually for the operating costs of the Florida Center for~~

Bill No. SB's 1872 & 2378

Barcode 920598

1 ~~Universal Research to Eradicate Disease.~~

2 3. Beginning July 1, 2005, there is annually
3 distributed \$9 million to the Department of Health, and these
4 funds are annually appropriated to the Florida Center for
5 Universal Research to Eradicate Disease to provide grants to
6 researchers seeking cures for cancer. From these funds, up to
7 \$200,000 shall be available annually for administration of the
8 grant program.

9 4. Beginning July 1, 2005, there is annually
10 distributed \$15 million to the Department of Health, and these
11 funds are annually appropriated to the Florida Center for
12 Universal Research to Eradicate Disease to provide grants to
13 researchers seeking cures for Alzheimer's disease. From these
14 funds, up to \$200,000 shall be available annually for
15 administration of the grant program and up to \$250,000 shall
16 be available annually for the operating costs of the Florida
17 Center for Universal Research to Eradicate Disease.

18 ~~4. Beginning July 1, 2004, there is annually~~
19 ~~distributed \$9 million to be paid by warrant drawn by the~~
20 ~~Chief Financial Officer upon the State Treasury to Florida~~
21 ~~State University for the School of Chiropractic Medicine.~~
22 ~~Notwithstanding the provisions of chapter 216, until the~~
23 ~~School of Chiropractic Medicine is completely staffed and~~
24 ~~fully operational, these funds may be used for any purpose by~~
25 ~~the university.~~

26 (b) The remainder of collection shall be credited to
27 the General Revenue Fund.

28 Section 3. Section 381.855, Florida Statutes, is
29 amended to read:

30 381.855 Florida Center for Universal Research to
31 Eradicate Disease.--

Bill No. SB's 1872 & 2378

Barcode 920598

1 (1) The Legislature finds that an estimated 128
2 million Americans suffer from acute, chronic, and degenerative
3 diseases and that biomedical research is the key to finding
4 cures for these diseases that negatively affect all
5 Floridians. The Legislature further finds that, while there is
6 much research being conducted throughout this state and
7 throughout the world, there is a lack of coordination of
8 efforts among researchers. The Legislature, therefore, finds
9 that there is a significant need for a coordinated effort if
10 the goal of curing disease is to be achieved. Moreover, the
11 Legislature finds that the biomedical technology sector meets
12 the criteria of a high-impact sector, pursuant to s. 288.108,
13 having a high importance to this state's economy with a
14 significant potential for growth and contribution to our
15 universities and quality of life.

16 (2) It is the intent of the Legislature that Florida
17 strive to become the nation's leader in biomedical research
18 and commit itself to being the state to find cures for the
19 most deadly and widespread diseases. It is further the intent
20 of the Legislature that there be a coordinated effort among
21 the state's public and private universities and the biomedical
22 industry to discover such cures. Moreover, it is the intent of
23 the Legislature to expand the state economy by attracting
24 biomedical researchers and research companies to this state.

25 (3) There is established within the Department of
26 Health the Florida Center for Universal Research to Eradicate
27 Disease, which shall be known as "CURED."

28 (a) The purpose of the center is to coordinate,
29 improve, expand, and monitor all biomedical research programs
30 within the state, provide grants for cancer research and
31 Alzheimer's disease research, facilitate funding

Barcode 920598

1 opportunities, and foster improved technology transfer of
2 research findings into clinical trials and widespread public
3 use.

4 (b) The goal of the center is to find cures for
5 diseases such as cancer, heart disease, lung disease,
6 diabetes, autoimmune disorders, and neurological disorders,
7 including Alzheimer's disease, epilepsy, and Parkinson's
8 disease.

9 (c) The center shall hold an annual biomedical
10 technology summit in Florida to which biomedical researchers,
11 biomedical technology companies, business incubators,
12 pharmaceutical manufacturers, and others around the nation and
13 world are invited to share biomedical research findings in
14 order to expedite the discovery of cures. Summit attendees
15 shall cover the costs of such attendance or obtain sponsorship
16 for such attendance.

17 (d) The center shall encourage clinical trials in this
18 state on research that holds promise of curing a disease or
19 condition. The center shall facilitate partnerships between
20 researchers, treating physicians, and community hospitals for
21 the purpose of sharing new techniques and new research
22 findings, as well as coordinating voluntary donations to
23 ensure an adequate supply of adult stem cells, placentas, or
24 cord blood.

25 (e) The center shall facilitate the formation of
26 partnerships between researchers in this state and
27 institutions in other states and countries where research with
28 rare plants or animals could lead to cures.

29 (f) The center shall encourage agricultural colleges
30 and agricultural businesses in this state to be active in the
31 search for cures and in providing information to the public

Bill No. SB's 1872 & 2378

Barcode 920598

1 about disease prevention.

2 (g) The center shall facilitate partnerships among
3 researchers working to cure all types of diseases, including
4 those that are prevalent in developed countries and those that
5 occur mainly in developing countries.

6 (h) The center shall also encourage the discovery and
7 production in Florida of vaccines that prevent disease.

8 (i) The center shall monitor the supply and demand
9 needs of researchers relating to stem cell research and other
10 types of human tissue research. If the center determines that
11 there is a need for increased donation of human tissue, it
12 shall notify hospitals licensed pursuant to chapter 395 which
13 have entered into partnership agreements with research
14 institutes conducting stem cell research located in the same
15 geographic region as the researchers demanding the stem cells
16 or other tissues. Such hospitals shall implement programs that
17 encourage voluntary donations of cord blood or other needed
18 adult tissue.

19 (j) The center shall be funded through private, state,
20 and federal sources.

21 (k) The center shall serve as a registry of all known
22 opportunities for biomedical grants ~~and may assist any public~~
23 ~~or private biomedical research program in this state in~~
24 ~~preparing grant requests.~~

25 (l) The center shall provide grants for cancer
26 research and Alzheimer's disease research to further the
27 search for cures for those diseases.

28 (m)~~(l)~~ The center shall maintain a website with links
29 to peer-reviewed biomedical research. The website shall also
30 contain a list of all known biomedical research being
31 conducted in Florida and shall facilitate communication among

Barcode 920598

1 researchers and other interested parties.

2 ~~(n)~~ ~~(m)~~ The center shall submit an annual report to the
 3 Governor, the President of the Senate, and the Speaker of the
 4 House of Representatives no later than January 15 which
 5 contains recommendations for legislative change necessary to
 6 foster a positive climate for biomedical research in this
 7 state.

8 (4) The Department of Health may outsource the duties
 9 of the center to a private entity or state university.

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

12 (a) The council shall consist of ~~the members of the~~
 13 ~~board of directors of the Florida Research Consortium and at~~
 14 ~~least~~ one representative from:

- 15 1. The Emerging Technology Commission.
- 16 2. Enterprise Florida, Inc.
- 17 3. BioFlorida.
- 18 4. The Biomedical Research Advisory Council.
- 19 5. The Florida Medical Foundation.
- 20 6. Pharmaceutical Research and Manufacturers of
 21 America.
- 22 7. The Florida Tri-Agency Coalition on Smoking OR
 23 Health.
- 24 8. The Florida Cancer Council.
- 25 9. The American Cancer Society, Florida Division, Inc.
- 26 10. The American Heart Association.
- 27 11. The American Lung Association of Florida.
- 28 12. The American Diabetes Association, South Coastal
 29 Region.
- 30 13. The Alzheimer's Association.
- 31 14. The Epilepsy Foundation.

Barcode 920598

- 1 15. The National Parkinson Foundation.
- 2 16. The Florida Public Health Foundation, Inc.
- 3 17. Scripps Florida or the entity formed in this state
- 4 by The Scripps Research Institute.

5 18. The Florida Research Consortium.

6 (b) Members of the council shall serve without
 7 compensation, and each organization represented shall cover
 8 all expenses of its representative.

9 (6)(a) Applications for cancer research funding may be
 10 submitted from any university or established research
 11 institute in the state. All qualified investigators in the
 12 state, regardless of institution affiliation, shall have equal
 13 access and opportunity to compete for the research funding.
 14 Grants shall be awarded by the Secretary of Health, after
 15 consultation with the council, on the basis of scientific
 16 merit, as determined by an open, competitive peer review
 17 process that ensures objectivity, consistency, and high
 18 quality. The following types of applications shall be
 19 considered for funding:

- 20 1. Investigator-initiated research grants.
- 21 2. Institutional research grants.

22 (b) To ensure that all proposals for research funding
 23 are appropriate and are evaluated fairly on the basis of
 24 scientific merit, the Secretary of Health, in consultation
 25 with the council, shall appoint a peer review panel of
 26 independent, scientifically qualified individuals to review
 27 the scientific content of each proposal and establish its
 28 scientific priority score. The priority scores shall be
 29 forwarded to the council and must be considered in determining
 30 which proposals shall be recommended for funding.

31 (c) The council and the peer review panel shall

Bill No. SB's 1872 & 2378

Barcode 920598

1 establish and follow rigorous guidelines for ethical conduct
2 and adhere to a strict policy with regard to conflict of
3 interest. A member of the council or panel may not participate
4 in any discussion or decision with respect to a research
5 proposal by any firm, entity, or agency with which the member
6 is associated as a member of the governing body or as an
7 employee, or with which the member has entered into a
8 contractual arrangement. Meetings of the council and the peer
9 review panels are subject to chapter 119, s. 286.011, and s.
10 24, Art. I of the State Constitution.

11 (7)(a) Applications for Alzheimer's disease research
12 funding may be submitted from any university or established
13 research institute in the state. All qualified investigators
14 in the state, regardless of institution affiliation, shall
15 have equal access and opportunity to compete for the research
16 funding. Grants shall be awarded by the Secretary of Health,
17 after consultation with the council, on the basis of
18 scientific merit, as determined by an open, competitive peer
19 review process that ensures objectivity, consistency, and high
20 quality. The following types of applications shall be
21 considered for funding:

22 1. Investigator-initiated research grants.

23 2. Institutional research grants.

24 (b) To ensure that all proposals for research funding
25 are appropriate and are evaluated fairly on the basis of
26 scientific merit, the Secretary of Health, in consultation
27 with the council, shall appoint a peer review panel of
28 independent, scientifically qualified individuals to review
29 the scientific content of each proposal and establish its
30 scientific priority score. The priority scores shall be
31 forwarded to the council and must be considered in determining

1 which proposals shall be recommended for funding.

2 (c) The council and the peer review panel shall
3 establish and follow rigorous guidelines for ethical conduct
4 and adhere to a strict policy with regard to conflict of
5 interest. A member of the council or panel may not participate
6 in any discussion or decision with respect to a research
7 proposal by any firm, entity, or agency with which the member
8 is associated as a member of the governing body or as an
9 employee, or with which the member has entered into a
10 contractual arrangement. Meetings of the council and the peer
11 review panels are subject to chapter 119, s. 286.011, and s.
12 24, Art. I of the State Constitution.

13 Section 4. Section 381.921, Florida Statutes, is
14 amended to read:

15 381.921 Florida Cancer Council mission and
16 duties.--The council, which shall work in concert with the
17 Florida Center for Universal Research to Eradicate Disease to
18 ensure that the goals of the center are advanced, shall
19 endeavor to dramatically improve cancer research and treatment
20 in this state through:

21 (1) Efforts to significantly expand cancer research
22 capacity in the state by:

23 (a) Identifying ways to attract new research talent
24 and attendant national grant-producing researchers to
25 ~~Florida-based~~ cancer research facilities in this state;

26 (b) Implementing a peer-reviewed, competitive process
27 to identify and fund the best proposals to expand cancer
28 research institutes in this state;

29 (c) Funding through available resources for those
30 proposals that demonstrate the greatest opportunity to attract
31 federal research grants and private financial support;

Bill No. SB's 1872 & 2378

Barcode 920598

1 (d) Encouraging the employment of bioinformatics in
2 order to create a cancer informatics infrastructure that
3 enhances information and resource exchange and integration
4 through researchers working in diverse disciplines, to
5 facilitate the full spectrum of cancer investigations;

6 (e) Facilitating the technical coordination, business
7 development, and support of intellectual property as it
8 relates to the advancement of cancer research; and

9 (f) Aiding in other multidisciplinary research-support
10 activities as they inure to the advancement of cancer
11 research.

12 (2) Efforts to improve both research and treatment
13 through greater participation in clinical trials networks by:

14 (a) Identifying ways to increase adult enrollment in
15 cancer clinical trials;

16 (b) Supporting public and private professional
17 education programs designed to increase the awareness and
18 knowledge about cancer clinical trials;

19 (c) Providing tools to cancer patients and
20 community-based oncologists to aid in the identification of
21 cancer clinical trials available in the state; and

22 (d) Creating opportunities for the state's academic
23 cancer centers to collaborate with community-based oncologists
24 in cancer clinical trials networks.

25 (3) Efforts to reduce the impact of cancer on
26 disparate groups by:

27 (a) Identifying those cancers that disproportionately
28 impact certain demographic groups; and

29 (b) Building collaborations designed to reduce health
30 disparities as they relate to cancer.

31 Section 5. This act shall take effect July 1, 2005.