

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Policy and Steering Committee on Ways and Means

BILL: CS/SB 1664

INTRODUCER: Committee on Health and Human Services Appropriations and Senator Peaden

SUBJECT: Health Care

DATE: April 6, 2009 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Peters	Peters	HA	Fav/CS
2.	Peters	Kelly	WPSC	Favorable
3.				
4.				
5.				
6.				

Please see Section VIII. for Additional Information:

- A. COMMITTEE SUBSTITUTE..... Statement of Substantial Changes
 B. AMENDMENTS..... Technical amendments were recommended
 Amendments were recommended
 Significant amendments were recommended

I. Summary:

The bill eliminates the limitation of expanding the Area Health Education Center (AHEC) network smoking-cessation initiative and increases the amount required to be awarded to the AHEC network from \$10 million to \$11 million.

The bill reduces the annual appropriation from the General Revenue Fund to the Biomedical Research Trust Fund for the William G. "Bill" Bankhead Jr. and David Coley Cancer Research Program from \$6.75 million to \$5 million.

This bill substantially amends ss. 381.84 and 381.922, Florida Statutes.

II. Present Situation:

Comprehensive Statewide Tobacco Education and Use Prevention Program

On November 7, 2006, the people of the State of Florida adopted Amendment 4, creating the Comprehensive Statewide Tobacco Education and Prevention Program. Under the amendment, the state is required to create a comprehensive, statewide program consistent with the CDC's

1999 best practices, as amended. The program must include the following minimum components and may include additional components that are also contained in the CDC *Best Practices*.

- An advertising campaign to discourage the use of tobacco, funded by at least one-third of the required annual appropriation;
- Evidence-based curricula and programs to educate youth about tobacco and discourage their use of it;
- Programs of local community-based partnerships;
- Enforcement of laws, regulations, and policies against the sale or other provision of tobacco to minors, and the possession of tobacco by minors; and
- Publicly-reported annual evaluations to ensure that moneys appropriated for the program are spent properly.

The amendment specifies that the Legislature must appropriate 15 percent of the total gross funds that tobacco companies paid to the State of Florida in 2005 under the Tobacco Settlement. This amount must be adjusted annually for inflation using the Consumer Price Index.

The Comprehensive Statewide Tobacco Education and Use Prevention Program was established in s. 381.84, F.S., as a result of implementation of the constitutional amendment and is administered by the Department of Health. The law specifies various program components, creates the Tobacco Education and Use Prevention Advisory Council, provides for duties of the council, provides for the department to award contracts and grants for the various program components, and requires the department to award a contract or grant of \$10 million to the Area Health Education Center Network for fiscal years 2007-2008 and 2008-2009.

Area Health Education Center Network

The Florida Area Health Education Center Network (AHEC) is a statewide network comprised of five AHEC programs administered by Florida's medical schools at Florida State University, Nova Southeastern University, University of Florida, University of Miami, and University of South Florida. The Department of Health contracts with the AHEC to link the provision of primary care services to low-income persons with the education of medical students, interns, and residents.

The William G. "Bill" Bankhead Jr. and David Coley Cancer Research Program

The William G. "Bill" Bankhead Jr. and David Coley Cancer Research Program was started in the 2006-2007 fiscal year. The purpose of the program is to provide research grants to advance progress towards a cure for cancer. The general revenue appropriation is \$6.75 million per year and the funds are transferred to the Biomedical Research Trust Fund. Of the total funds, 90 percent are used to award grants and fellowships and 10 percent are used to administer the program in the Department of Health.

III. Effect of Proposed Changes:

Section 1 amends s. 381.84, F.S., to eliminate the limitation of expanding the Area Health Education Center smoking-cessation initiative and to increase the amount required to be awarded to the AHEC Network from \$10 million to \$11 million.

Section 2 amends 381.922, F.S., to reduce the annual appropriation from the General Revenue Fund to the Biomedical Research Trust Fund for the William G. “Bill” Bankhead Jr. and David Coley Cancer Research Program from \$6.75 million to \$5 million.

Section 3 provides that the bill shall take effect July 1, 2009.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The amounts of state research grants available for the William G. “Bill” Bankhead Jr. and David Coley Cancer Research Program will be reduced.

C. Government Sector Impact:

The general revenue appropriations into the Biomedical Research Trust Fund for the William G. “Bill” Bankhead Jr. and David Coley Cancer Research Program will be reduced from \$6.75 million to \$5 million.

The amount of the award to the AHEC network for the smoking cessation initiative is increased from \$10 million to \$11 million from the Tobacco Settlement Trust Fund.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Health and Human Services Appropriations on April 1, 2009.

Senate Bill 1664 was originally filed as a shell bill expressing legislative intent to revise laws relating to governmental operations. The Health and Human Services Appropriations Committee adopted the committee substitute as described in this bill analysis. The bill eliminates the limitation of expanding the Area Health Education Center (AHEC) network smoking-cessation initiative and increases the amount required to be awarded to the AHEC network from \$10 million to \$11 million. The bill also reduces the annual appropriation from the General Revenue Fund to the Biomedical Research Trust Fund for the William G. “Bill” Bankhead Jr. and David Coley Cancer Research Program from \$6.75 million to \$5 million.

- B. **Amendments:**

None.