

THE FLORIDA SENATE
2013 SUMMARY OF LEGISLATION PASSED
Committee on Health Policy

CS/CS/SB 1660 — Quality Cancer Care and Research

by Appropriations Committee; Children, Families, and Elder Affairs Committee; and Senators Flores and Sobel

Cancer Center of Excellence Award

This bill creates the Cancer Center of Excellence Award to recognize hospitals, treatment centers, and other providers in the state which demonstrate excellence in cancer care.

The Florida Cancer Control and Research Advisory Council (the Council) and the Biomedical Research Advisory Council (BRAC) will appoint members to a joint committee for purposes of creating selection criteria and application forms for the award. The committee will be administratively housed under the Department of Health (the department), and the department is given rulemaking authority related to application cycles and the submission of the application form. The committee will consist of 13 members, seven chosen by majority vote of the Council and six chosen by majority vote of the BRAC. Members of the committee shall serve without compensation but may be reimbursed for travel and other necessary expenses.

Specific duties of the committee include:

- By January 1, 2014, develop performance measures, a rating system, and a rating standard that must be achieved for consideration for the award;
- Review these criteria at least every 3 years to ensure providers are continually enhancing their programs to reflect advances in cancer treatment from the perspective of quality, comprehensive, and patient-centered coordinated care;
- Submit the proposed criteria to the Council and BRAC for approval by both entities prior to their use for award evaluation; and,
- Develop an application form for the award which requires, among other things, submission of documentation which demonstrates that the selection criteria have been met.

The criteria developed by the committee must require, at minimum, that each award applicant:

- Maintain a license in good standing in this state which authorizes the health care services to be provided;
- Be accredited by the Commission on Cancer of the American College of Surgeons;
- Actively participate in at least one regional cancer control collaborative operating pursuant to the Florida Comprehensive Cancer Control Program's cooperative agreement

with the Centers for Disease Control and Prevention's National Comprehensive Care Control Program;

- Demonstrate excellence in and dissemination of scientifically rigorous cancer research;
- Integrate training and education of biomedical researchers and health care professionals; and,
- Meet enhanced cancer care coordination standards which, at a minimum, focus on:
 - Coordination of care by cancer specialists and nursing and allied health professionals;
 - Psychosocial assessment and services;
 - Suitable and timely referrals and follow-up;
 - Providing accurate and complete information on treatment options, including clinical trials, which consider each person's needs, preferences, and resources, whether provided by that center or available through other health care providers;
 - Participation in a network of cancer specialists of multiple disciplines;
 - Family services and support;
 - Aftercare and survivor services; and
 - Patient and family satisfaction survey results.

The department will conduct semiannual application cycles for this award, starting after January 1, 2014. A team of five evaluators will be selected by the State Surgeon General to assess applicants for award eligibility. Each evaluator must sign a conflict of interest form stating his or her lack of connection with any health care provider or facility licensed in this state. The evaluators may be chosen from any of the following groups:

- No more than five health care practitioners or health care facilities not licensed in this state which provide cancer diagnosis or treatment services;
- No more than three members of the Council;
- No more than two members of the BRAC; and,
- No more than one layperson who has experience as a cancer patient or as the family member of a cancer patient, as long as that patient did not receive care from the applicant being evaluated.

The evaluation team will present to the State Surgeon General those applications which have met or exceeded selection criteria, employing the rating system developed by the joint committee. The State Surgeon General will then notify the Governor of those providers eligible to receive the award. The grant of the award by the State Surgeon General is not final agency action, and the award program is not subject to the provisions of ch. 120, F.S., the Administrative Procedure Act.

The Cancer Center of Excellence Award is good for 3 years, and the recipient may use the designation in its advertising and marketing during this time and may receive preference in competitive state solicitations related to cancer care or research. Previous award recipients are eligible for subsequent awards.

By January 31, 2014, and by December 15 thereafter, the State Surgeon General must provide a report to the President of the Senate and the Speaker of the House of Representatives detailing implementation status of the award program and recommendations for improvement.

Reporting Requirements for Recipients of Cancer-Related Appropriations

Any entity associated with cancer research or care which receives a specific appropriation in the General Appropriations Act and does not have statutory reporting requirements for the receipt of such funds must submit an annual fiscal-year progress report to the President of the Senate and the Speaker of the House of Representatives by December 15. The report must describe the general use of the funds, specify the research (if any) funded by the appropriation, describe any fixed capital outlay project funded by the appropriation, and identify any federal or private sources of funding generated as a result of the appropriation (if traceable).

State-Endowed Research Chairs at Cancer Institutions

To attract and retain talented cancer researchers to the state, the department will award endowments to integrated cancer research and care institutions for establishment of funded research chair positions. Funding must be specified in the General Appropriations Act and are independent of funds appropriated for the James and Esther King Biomedical Research Program. The endowment aims to provide 7 years' of funding, not tied to time-limited grant awards, for a cancer scientist to facilitate coordination among Florida research institutions and to attract other promising researchers and funding to the state.

Each institution which has received an endowment must notify the chairs of the appropriations committees in the Senate and the House of Representatives upon selection of its research chair. Each institution must also provide an annual progress report describing the performance of the chair and use of the endowment funds to the President of the Senate, the Speaker of the House of Representatives, and the Governor by December 15.

If an institution needs to replace a research chair, the endowment will cease funding all expenses except those related to recruitment until a new chair is found. During the interim, the endowment will continue to earn interest, and all earnings must be added to the balance of the endowment. A vacancy tolls the 7-year timeframe for the research chair.

The General Appropriations Act for state FY 2013–2014 (SB 1500) includes total funding in the amount of \$10 million to be allocated equally to Shands Cancer Hospital at the University of Florida, H. Lee Moffitt Cancer Center and Research Institute, and Sylvester Cancer Center at the University of Miami for an endowed chair.

If approved by the Governor, these provisions take effect July 1, 2013.

Vote: Senate 36-0; House 117-0