

By Senator Flores

37-01278A-13

20131660__

1 A bill to be entitled
2 An act relating to quality cancer care and research;
3 creating s. 381.925, F.S.; providing legislative
4 intent and goals; establishing a Cancer Center of
5 Excellence Award for providers that excel in providing
6 cancer care and treatment in this state; requiring the
7 Florida Cancer Control and Research Advisory Council
8 and the Biomedical Research Advisory Council to
9 jointly develop performance measures, a rating system,
10 and a rating standard in accordance with specified
11 criteria for applicants to qualify for the award;
12 providing minimum standards; authorizing a provider to
13 apply to the Department of Health for the award;
14 requiring the Florida Cancer Control and Research
15 Advisory Council and the Biomedical Research Advisory
16 Council to jointly develop an application form;
17 providing two application cycles each year; requiring
18 the State Surgeon General to assemble an evaluation
19 team to assess applications; providing membership of
20 and requirements for the evaluation team; providing
21 duties of the members of the evaluation team;
22 requiring the State Surgeon General to notify the
23 Governor of the providers that are eligible to receive
24 the award; limiting the duration of the award;
25 authorizing an award-winning cancer provider to use
26 the designation in its advertising and marketing;
27 providing that an award-winning cancer provider is
28 granted preference in competitive solicitations for a
29 specified period of time; requiring the State Surgeon

37-01278A-13

20131660__

30 General to report to the Legislature by a specified
31 date the status of implementing the award program;
32 amending s. 381.922, F.S.; authorizing endowments
33 under the William G. "Bill" Bankhead, Jr., and David
34 Coley Cancer Research Program for establishing funded
35 research chairs at research institutions contingent
36 upon an appropriation; requiring submission of
37 proposals; requiring that research institutions report
38 certain information regarding the selected research
39 chair of the endowment and other information about the
40 endowment; providing for qualifications of the chair;
41 specifying the use of the funds in the endowment;
42 providing an effective date.

43
44 Be It Enacted by the Legislature of the State of Florida:

45
46 Section 1. Section 381.925, Florida Statutes, is created to
47 read:

48 381.925 Cancer Center of Excellence Award.-

49 (1) The Legislature intends to recognize hospitals,
50 treatment centers, and other providers in this state which
51 demonstrate excellence in patient-centered, coordinated care for
52 persons undergoing cancer treatment and therapy in this state.
53 The goal of this program is to encourage excellence in cancer
54 care in this state, attract and retain the best cancer care
55 providers to the state, and help Florida providers be recognized
56 nationally as a preferred destination for quality cancer care.
57 The Cancer Center of Excellence Award will recognize providers
58 that exceed service standards and excel in providing a quality,

37-01278A-13

20131660__

59 comprehensive, and patient-centered coordinated care program.

60 (2) The Florida Cancer Control and Research Advisory
61 Council, established in s. 1004.435, and the Biomedical Research
62 Advisory Council, established in s. 215.5602, shall jointly
63 develop rigorous performance measures, a rating system, and a
64 rating standard that must be achieved to document and
65 distinguish a cancer center that excels in providing a quality,
66 comprehensive, and patient-centered coordinated care program. At
67 a minimum, the criteria must require that each hospital,
68 treatment center, or other provider:

69 (a) Maintain a license in this state which authorizes
70 health care services to be provided. A provider may not have
71 been disciplined or subjected to any administrative enforcement
72 action by state or federal regulatory authorities within the
73 preceding 3 years.

74 (b) Be accredited by the Commission on Cancer of the
75 American College of Surgeons.

76 (c) Actively participate in at least one regional cancer
77 control collaborative that is operating pursuant to the Florida
78 Comprehensive Cancer Control Program's cooperative agreement
79 with the Centers for Disease Control and Prevention's National
80 Comprehensive Cancer Control Program.

81 (d) Meet enhanced cancer care coordination standards set by
82 the councils which, at a minimum, focus on:

83 1. Coordination of care by cancer specialists and nursing
84 and allied health professionals.

85 2. Psychosocial assessment and services.

86 3. Suitable and timely referrals and followup.

87 4. Providing accurate and complete information on treatment

37-01278A-13

20131660__

88 options, including clinical trials, which consider each person's
89 needs, preferences, and resources, whether provided by that
90 center or available through other health care providers.

91 5. Participation in a comprehensive network of cancer
92 specialists of multiple disciplines which enables the patient to
93 consult with a variety of experts to examine treatment
94 alternatives.

95 6. Family services and support.

96 7. Aftercare and survivor services.

97 8. Patient and family satisfaction survey results.

98 (3) (a) A provider may apply to the Department of Health for
99 a Cancer Center of Excellence Award. The Florida Cancer Control
100 and Research Advisory Council and the Biomedical Research
101 Advisory Council shall jointly develop an application form that
102 requires, among other things, submission of documentation by the
103 provider which demonstrates that the criteria in subsection (2)
104 have been met.

105 (b) The council shall conduct two application cycles
106 annually.

107 (4) (a) The State Surgeon General shall appoint a team of
108 independent evaluators to assess applicants to determine
109 eligibility for the award. The team shall consist of five
110 evaluators to be selected, in any combination, from the
111 following:

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

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

37-01278A-13

20131660__

117 3. No more than two members from the Biomedical Research
118 and Advisory Council; and

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

123 (b) Each evaluator must be independent and free of any
124 conflict of interest with respect to a health care provider or
125 facility licensed in this state. Each person selected to
126 participate on the evaluation team must sign a conflict of
127 interest attestation before being appointed to the evaluation
128 team.

129 (5) (a) An evaluation team member may verify, as necessary,
130 documentation submitted with an application for the award.

131 (b) Each member on the evaluation team shall report to the
132 State Surgeon General those applicants that achieved or exceeded
133 the required score based on the rating system developed in
134 subsection (2) which demonstrates the cancer center excels in
135 providing a quality, comprehensive, and patient-centered
136 coordinated care program.

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

140 (7) The award shall be recognized for a period of 3 years
141 from the date of the award. A provider may reapply for
142 subsequent awards.

143 (8) A provider that receives a Cancer Center of Excellence
144 Award may use the designation in its advertising and marketing
145 for up to 3 years from the date of the award. In addition, a

37-01278A-13

20131660__

146 provider that receives a Cancer Center of Excellence Award may
147 be granted, for 3 years from the date of the award, a preference
148 in competitive solicitations undertaken by a state agency or
149 state university.

150 (9) The State Surgeon General shall report to the President
151 of the Senate and the Speaker of the House of Representatives by
152 January 31, 2014, and annually thereafter, the status of
153 implementing the Cancer Center of Excellence Award program,
154 metrics on the number of applications received and the number of
155 award recipients by application cycle, a list of award
156 recipients, and recommendations for legislation to strengthen
157 the program.

158 Section 2. Subsection (4) of section 381.922, Florida
159 Statutes, is renumbered as subsection (5), and a new subsection
160 (4) is added to that section, to read:

161 381.922 William G. "Bill" Bankhead, Jr., and David Coley
162 Cancer Research Program.—

163 (4) In order to attract and retain experienced research
164 talent and attendant national grant-producing researchers to
165 cancer research institutions in this state, the Department of
166 Health shall award endowments to cancer research institutions
167 for establishing a funded research chair, pursuant to the
168 General Appropriations Act specifying an appropriation for this
169 purpose. The purpose of the endowment is to provide a secure
170 salary for at least 7 years to attract an experienced and
171 promising researcher whose continued employment for this period
172 is not contingent upon grant awards associated with time-limited
173 research projects. In addition, the Legislature intends for this
174 chair to specialize in a cancer-related research field that will

37-01278A-13

20131660__

175 facilitate coordination among research institutions within the
176 state, and attract other promising researchers and funding to
177 the state.

178 (a) A research institution shall submit a proposal for the
179 endowment which must, at a minimum, describe the research
180 program and general responsibilities of the researcher who is to
181 be selected for the research chair. Upon final selection of the
182 research chair or if it becomes necessary to identify a
183 replacement research chair the research institution shall notify
184 the Department of Health of his or her name, salary, and
185 specific research responsibilities. The research institution
186 shall annually report to the department the chair's name,
187 current salary, research responsibilities, percentage of time
188 devoted to research if the chair also serves as a member of the
189 faculty, reports on research progress and progress toward
190 achieving the goals of this program, endowment balance, interest
191 rate, and interest earned on the endowment.

192 (b) The person selected for the research chair must possess
193 a doctoral degree and have demonstrated promising research
194 potential in the field in which the chair is to conduct
195 research. The endowment is awarded to the research institution,
196 not to the selected researcher.

197 (c) The principal and interest earned on the endowment
198 shall be used to fund the selected chair's research salary for
199 at least 7 years. A selected chair may also serve as a member of
200 the faculty who receives supplemental pay from other sources.

201 Section 3. This act shall take effect July 1, 2013.