

1 A bill to be entitled
2 An act relating to biomedical research; amending s.
3 20.435, F.S.; deleting a reference to conform to changes
4 made by this act; revising the time by which certain
5 balances of appropriations from the Biomedical Research
6 Trust Fund may be carried forward; amending s. 215.5601,
7 F.S.; revising a provision relating to the Lawton Chiles
8 Endowment Fund to conform to changes made by this act;
9 amending s. 215.5602, F.S.; providing legislative findings
10 and intent; revising provisions relating to the James and
11 Esther King Biomedical Research Program; revising
12 provisions relating to program funds and funding; revising
13 long-term goals of the program; revising membership
14 provisions relating to the Biomedical Research Advisory
15 Council; providing that the council serves as the
16 exclusive source of certain biomedical research grant and
17 fellowship awards; requiring the council to create
18 committees; providing requirements for the committees;
19 revising duties of the council; requiring the council to
20 submit a list of priorities for funding to the
21 Legislature; providing for criteria for ranking
22 priorities; providing for the award of grants or
23 fellowships by the council upon a specific appropriation;
24 providing restrictions on the recommendation or award of
25 grants or fellowships by other programs and entities;
26 deleting references to conform to changes made by this
27 act; reducing the limits on administrative expenses;
28 revising requirements relating to the council's annual

29 progress report; revising provisions relating to
30 appropriations; amending s. 381.79, F.S.; providing for
31 the expiration of a provision relating to the distribution
32 of funds from the Brain and Spinal Cord Injury Program
33 Trust Fund; amending s. 381.853, F.S.; providing a
34 requirement for the Florida Center for Brain Tumor
35 Research relating to the use of state funds for biomedical
36 research; amending ss. 381.912 and 381.98, F.S.; revising
37 and removing references to conform to changes made by this
38 act; amending s. 381.922, F.S.; revising cross-references
39 to conform to changes made by this act; revising the
40 future repeal of the William G. "Bill" Bankhead, Jr., and
41 David Coley Cancer Research Program; creating s. 381.923,
42 F.S.; creating the William G. "Bill" Bankhead, Jr., and
43 David Coley Cancer Research Council within the Department
44 of Health; providing for duties and functions of the
45 council; providing for membership; providing a requirement
46 for the council to issue an annual report; providing the
47 mission and duties of the Bankhead-Coley Cancer Council;
48 amending s. 430.501, F.S.; providing a requirement for the
49 Alzheimer's Disease Advisory Committee relating to the use
50 of state funds for biomedical research grants or
51 fellowships; amending s. 1004.445, F.S.; providing for the
52 future repeal of provisions and the appropriation relating
53 to certain grants awarded for Alzheimer's disease
54 research; providing a requirement for the Johnnie B. Byrd,
55 Sr., Alzheimer's Center and Research Institute relating to
56 the use of state funds for biomedical research grants or

57 fellowships; repealing s. 381.855, F.S., relating to the
58 Florida Center for Universal Research to Eradicate
59 Disease; repealing s. 381.92, F.S., relating to the
60 Florida Cancer Council; repealing s. 381.921, F.S.,
61 relating to the Florida Cancer Council's mission and
62 duties; providing for severability; providing an effective
63 date.

64
65 WHEREAS, the Legislature finds that the health of
66 Floridians is of utmost importance, and

67 WHEREAS, continuing and promoting biomedical research in
68 the state is key to finding cures for the most deadly and
69 widespread acute, chronic, and degenerative diseases affecting
70 millions of Floridians, and

71 WHEREAS, there are a number of agencies, councils,
72 committees, and other nonprofit entities within the state that
73 are currently awarding state dollars for grants or fellowships
74 for biomedical research in order to find cures for and improve
75 treatment of various diseases affecting Floridians, and

76 WHEREAS, the most effective and efficient use of state
77 biomedical research dollars is to establish a single,
78 comprehensive program to review grant and fellowship proposals
79 and make recommendations to the Legislature for funding of
80 biomedical research grants and fellowships using state funds,
81 and

82 WHEREAS, the consolidated process for awarding state-funded
83 grants and fellowships for biomedical research in the state of
84 Florida will also serve to enhance, encourage, and coordinate

85 biomedical research programs within the state and foster
 86 improved transfer of research findings into clinical trials and
 87 widespread public use, NOW, THEREFORE,

88

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

90

91 Section 1. Paragraph (h) of subsection (1) of section
 92 20.435, Florida Statutes, is amended to read:

93 20.435 Department of Health; trust funds.--

94 (1) The following trust funds are hereby created, to be
 95 administered by the Department of Health:

96 (h) Biomedical Research Trust Fund.

97 1. Funds to be credited to the trust fund shall consist of
 98 funds deposited pursuant to s. 215.5601 and any other funds
 99 appropriated by the Legislature. Funds shall be used for the
 100 purposes of the James and Esther King Biomedical Research
 101 Program ~~and the William G. "Bill" Bankhead, Jr., and David Coley~~
 102 ~~Cancer Research Program~~ as specified in ss. 215.5602 and
 103 288.955, ~~and 381.922~~. The trust fund is exempt from the service
 104 charges imposed by s. 215.20.

105 2. Notwithstanding the provisions of s. 216.301 and
 106 pursuant to s. 216.351, any balance in the trust fund at the end
 107 of any fiscal year shall remain in the trust fund at the end of
 108 the year and shall be available for carrying out the purposes of
 109 the trust fund. The department may invest these funds
 110 independently through the Chief Financial Officer or may
 111 negotiate a trust agreement with the State Board of
 112 Administration for the investment management of any balance in

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113 the trust fund.

114 3. Notwithstanding s. 216.301 and pursuant to s. 216.351,
115 any balance of any appropriation from the Biomedical Research
116 Trust Fund which is not disbursed but which is obligated
117 pursuant to contract or committed to be expended may be carried
118 forward for up to 5 ~~3~~ years following the effective date of the
119 original appropriation.

120 4. The trust fund shall, unless terminated sooner, be
121 terminated on July 1, 2008.

122 Section 2. Paragraph (d) of subsection (1) of section
123 215.5601, Florida Statutes, is amended to read:

124 215.5601 Lawton Chiles Endowment Fund.--

125 (1) LEGISLATIVE INTENT.--It is the intent of the
126 Legislature to:

127 (d) Provide funds to help support public-health and
128 biomedical research for the prevention, diagnosis, treatment,
129 and cure of diseases related to tobacco use by creating an
130 annual and perpetual source of funding for biomedical research
131 in the state through the James and Esther King Biomedical
132 Research Program in order to expand the foundation of biomedical
133 knowledge relating to the prevention, diagnosis, treatment, and
134 cure of diseases related to tobacco use, including cancer,
135 cardiovascular disease, stroke, and pulmonary disease; improve
136 the quality of the state's academic health centers by bringing
137 the advances of biomedical research into the training of
138 physicians and other health care providers; and increase the
139 state's per capita funding for biomedical research by
140 undertaking new initiatives in biomedical research which will

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141 attract additional funding from outside the state while also
142 stimulating economic activity in the state in areas related to
143 biomedical research, such as the research and production of
144 pharmaceuticals, biotechnology, and medical devices.

145 Section 3. Section 215.5602, Florida Statutes, is amended
146 to read:

147 215.5602 James and Esther King Biomedical Research
148 Program.--

149 (1) The Legislature finds that an estimated 128 million
150 Americans, many of them Floridians, suffer from acute, chronic,
151 and degenerative diseases and that biomedical research is the
152 key to finding cures for these diseases. The Legislature further
153 finds that the biomedical technology sector meets the criteria
154 of a high-impact sector, pursuant to s. 288.108, having high
155 importance to this state's economy with a significant potential
156 for growth and contribution to the state's universities and
157 quality of life.

158 (2) It is the intent of the Legislature that this state
159 strive to become the nation's leader in biomedical research and
160 commit itself to being the state to find cures for the most
161 deadly and widespread diseases. Moreover, it is the intent of
162 the Legislature to expand the state's economy by attracting
163 biomedical researchers and research companies to this state.

164 (3) ~~(1)~~ There is established within the Department of
165 Health the James and Esther King Biomedical Research Program
166 funded by the proceeds of the Lawton Chiles Endowment Fund
167 pursuant to s. 215.5601 and the Biomedical Research Trust Fund
168 within the Department of Health pursuant to s. 20.435(1)(h). The

169 purpose of the ~~James and Esther King Biomedical Research~~ program
170 is to provide an annual and perpetual source of funding for
171 biomedical in order to support research initiatives that address
172 the health care problems of Floridians ~~in the areas of tobacco-~~
173 ~~related cancer, cardiovascular disease, stroke, and pulmonary~~
174 ~~disease~~. The long-term goals of the program are to:

175 (a) Improve the health of Floridians by researching better
176 prevention, diagnoses, treatments, and cures for the most deadly
177 and widespread diseases, including, but not limited to, tobacco-
178 related diseases, cancer, cardiovascular disease, stroke, and
179 pulmonary disease, diabetes, autoimmune and genetic disorders,
180 and neurological disorders, including Alzheimer's disease,
181 epilepsy, and Parkinson's disease.

182 (b) Expand the foundation of biomedical knowledge relating
183 to the prevention, diagnosis, treatment, and cure of diseases
184 related to tobacco use, including cancer, cardiovascular
185 disease, stroke, and pulmonary disease.

186 (c) Expand the foundation of biomedical knowledge relating
187 to the prevention, diagnosis, treatment, and cure of the most
188 deadly and widespread diseases affecting Floridians.

189 (d)-(e) Improve the quality of the state's academic health
190 centers by bringing the advances of biomedical research into the
191 training of physicians and other health care providers.

192 (e)-(d) Increase the state's per capita funding for
193 research by undertaking new initiatives in public health and
194 biomedical research that will attract additional funding from
195 outside the state.

196 (f)-(e) Stimulate economic activity in the state in areas

197 related to biomedical research, such as the research and
198 production of pharmaceuticals, biotechnology, and medical
199 devices.

200 (g) Facilitate communication among biomedical researchers
201 and health care providers in order to ensure an ongoing dialogue
202 between researchers, treatment providers, and the department.

203 (h) Coordinate, improve, expand, and monitor all
204 biomedical research programs within the state funded with state
205 funds, facilitate funding opportunities, and foster improved
206 technology transfer of research findings into clinical trials
207 and widespread public use.

208 (i) Hold periodic biomedical research summits in this
209 state at which biomedical researchers, biomedical technology
210 companies, business incubators, pharmaceutical manufacturers,
211 and others around the nation and world are invited to share
212 biomedical research findings in order to expedite the discovery
213 of cures. Summit attendees shall cover the costs of such
214 attendance or obtain sponsorship for such attendance.

215 (j) Encourage clinical trials in this state on research
216 that holds promise of curing a disease or condition.

217 (k) Encourage partnerships among researchers in this state
218 and institutions in other states and countries in promising new
219 areas of research.

220 (l) Encourage partnerships and the sharing of information
221 among researchers working to cure all types of diseases,
222 including those that are prevalent in developed countries and
223 those that occur mainly in developing countries but could impact
224 the state through mobile populations.

225 (m) Encourage the discovery and production in this state
226 of vaccines that prevent disease.

227 (4)-(2) Funds appropriated for the James and Esther King
228 Biomedical Research Program shall be used exclusively for the
229 award of grants and fellowships as established in this section;
230 for research relating to the prevention, diagnosis, treatment,
231 and cure of diseases affecting Floridians ~~related to tobacco~~
232 ~~use, including cancer, cardiovascular disease, stroke, and~~
233 ~~pulmonary disease;~~ and for expenses incurred in the
234 administration of this section. Beginning July 1, 2008, funds
235 appropriated for the James and Esther King Biomedical Research
236 Program shall be the exclusive source of state funds used for
237 the award of biomedical research grants and fellowships in this
238 state. ~~Priority shall be granted to research designed to prevent~~
239 ~~or cure disease.~~

240 (5)-(3) There is created within the James and Esther King
241 Biomedical Research Program in the Department of Health the
242 Biomedical Research Advisory Council.

243 (a) The council shall consist of 36 ~~11~~ members, including:
244 the Secretary of Health, or a designee; the chief executive
245 officer of Enterprise Florida, Inc., or a designee; the chief
246 executive officer of the Florida Division of the American Cancer
247 Society, or a designee; the chief executive officer of the
248 Greater Southeast Florida/Puerto Rico ~~Affiliate~~ of the American
249 Heart Association, or a designee; ~~and~~ the chief executive
250 officer of the American Lung Association of Florida, or a
251 designee; the chief executive officer of the H. Lee Moffitt
252 Cancer Center, or a designee; the director of the University of

253 Florida Shands Cancer Center, or a designee; the chief executive
 254 officer of the University of Miami Sylvester Comprehensive
 255 Cancer Center, or a designee; the chief executive officer of the
 256 Mayo Clinic, Jacksonville, or a designee; the president of the
 257 Florida Society of Clinical Oncology, or a designee; and the
 258 chief executive officer of the Johnnie B. Byrd, Sr., Alzheimer's
 259 Center and Research Institute, or a designee. The remaining 25 &
 260 members of the council shall be appointed as follows:

261 1. The Governor shall appoint thirteen ~~four~~ members as
 262 follows: two members with expertise in the field of biomedical
 263 research, one member from a research university in the state,
 264 one representative of the Florida Dialogue on Cancer, one
 265 representative of the Epilepsy Foundation, one representative of
 266 the Florida Medical Foundation, one representative of the
 267 American Liver Foundation, one representative of the Florida
 268 Academy of Family Physicians, one public health academic, one
 269 representative of the Florida Public Health Association, one
 270 representative of the Florida Council for Behavioral Health
 271 Care, Inc., one representative of the Florida Association of
 272 County Health Officers, and one member representing the general
 273 population of the state.

274 2. The President of the Senate shall appoint six ~~two~~
 275 members as follows: one former member of the Senate, one member
 276 with expertise in the field of behavioral or social research,
 277 one representative of BioFlorida, one representative of
 278 Pharmaceutical Research and Manufacturers of America, one
 279 representative of the South Coastal Region of the American
 280 Diabetes Association, and one representative from a cancer

281 program approved by the American College of Surgeons.

282 3. The Speaker of the House of Representatives shall
 283 appoint six ~~two~~ members as follows: one former member of the
 284 House of Representatives, one representative of the National
 285 Parkinson Foundation, one representative of the Alzheimer's
 286 Association, one representative of the Florida Research
 287 Consortium, one member from a professional medical organization,
 288 and one representative from a cancer program approved by the
 289 American College of Surgeons.

290
 291 In making these appointments, the Governor, the President of the
 292 Senate, and the Speaker of the House of Representatives shall
 293 select primarily, but not exclusively, Floridians with
 294 biomedical and lay expertise in the general areas of cancer,
 295 cardiovascular disease, stroke, ~~and~~ pulmonary disease, diabetes,
 296 autoimmune and genetic disorders, and neurological disorders,
 297 including Alzheimer's disease, epilepsy, and Parkinson's
 298 disease. The appointments shall be for a 3-year term and shall
 299 reflect the diversity of the state's population. An appointed
 300 member may not serve more than two consecutive terms.

301 (b) Beginning July 1, 2008, and each year thereafter, the
 302 council shall serve as the exclusive source of awarding grants
 303 or fellowships for biomedical research in the state using state
 304 funds. This paragraph shall not preclude another grant or
 305 fellowship program in the state from awarding grants from funds
 306 received from private or federal sources where permitted by
 307 state law.

308 (c)1. The council shall create the following committees,

309 and may create other committees as it deems necessary:

310 a. Committee on Tobacco-related Diseases.

311 b. Bankhead-Coley Committee on Cancer.

312 c. Committee on Stroke.

313 d. Committee on Cardiovascular Disease.

314 e. Committee on Pulmonary Disease.

315 f. Committee on Diabetes.

316 g. Committee on Autoimmune Disorders.

317 h. Johnnie B. Byrd, Sr., Committee on Alzheimer's Disease.

318 i. Committee on Parkinson's Disease.

319 j. Committee on Neurological Disorders.

320 2. The committees shall be comprised of council members,

321 with the exception of the Johnnie B. Byrd, Sr., Committee on

322 Alzheimer's Disease, which shall be comprised of the board of

323 directors of the Johnnie B. Byrd, Sr., Alzheimer's Center and

324 Research Institute pursuant to s. 1004.445. Each committee shall

325 focus on issues and proposed research related to that committee

326 and shall report findings and make recommendations to the

327 council regarding the award of grants and the areas of focus or

328 need for future grants and fellowships. Recommendations to the

329 council from the Johnnie B. Byrd, Sr., Committee on Alzheimer's

330 Disease shall be developed by the committee in consultation with

331 the council of scientific advisers created in s. 1004.445(7).

332 (d)-(b) The council shall adopt internal organizational

333 procedures as necessary for its efficient organization,

334 including procedures for assigning council members to committees

335 and coordination between the council and committees.

336 (e)-(e) The department shall provide such staff,

337 information, and other assistance as is reasonably necessary to
338 assist the council in carrying out its responsibilities,
339 including those of its committees.

340 (f)~~(d)~~ Members of the council shall serve without
341 compensation, but may receive reimbursement as provided in s.
342 112.061 for travel and other necessary expenses incurred in the
343 performance of their official duties, including committee
344 meetings.

345 (6)~~(4)~~ The council shall, after considering the
346 recommendations of its committees, determine ~~advise the~~
347 ~~Secretary of Health as to~~ the direction and scope of the
348 biomedical research program. The responsibilities of the council
349 ~~may~~ include, but are not limited to:

350 (a) Establishing ~~Providing advice on~~ program priorities
351 and emphases.

352 (b) Evaluating ~~Providing advice on~~ the overall program
353 budget and making recommendations to the Legislature for future
354 appropriations.

355 (c) Conducting ~~Participating in~~ periodic program
356 evaluation.

357 (d) Developing ~~Assisting in the development of~~ guidelines
358 to ensure fairness, neutrality, and adherence to the principles
359 of merit and quality in the conduct of the program.

360 (e) Developing ~~Assisting in the development of~~ appropriate
361 linkages to nonacademic entities, such as voluntary
362 organizations, health care delivery institutions, industry,
363 government agencies, and public officials.

364 (f) Developing criteria and standards for the award of

365 research grants.

366 (g) Developing administrative procedures relating to
367 solicitation, independent peer review, and award of research
368 grants and fellowships, to ensure an impartial, high-quality,
369 science-based peer review system.

370 (h) Developing and supervising ~~research~~ peer review
371 panels.

372 (i) Reviewing reports of peer review panels and making
373 recommendations for research grants and fellowships.

374 (j) Developing and providing oversight regarding
375 mechanisms for the dissemination of research results.

376 (k) Maintaining a website with links to peer-reviewed
377 biomedical research funded with state funds and to future
378 opportunities to apply for an award of a biomedical research
379 grant or fellowship from the council. Application forms for
380 grants or fellowships shall be available on the website through
381 an online application system. The website shall also provide a
382 list of all known biomedical research using state funds being
383 conducted in this state and shall facilitate communication among
384 researchers and other interested parties.

385 (l) Disseminating breakthrough findings in, and
386 information about, innovative biomedical research and clinical
387 trials that will assist in making Floridians and their treatment
388 providers aware of specified diseases and conditions and
389 available methods of preventing, diagnosing, treating, and
390 curing such diseases and conditions.

391 ~~(7)-(5)~~(a) Applications for biomedical research funding
392 under the program may be submitted from any university or

393 established research institute in the state. All qualified
394 investigators in the state, regardless of institution
395 affiliation, shall have equal access and opportunity to compete
396 for the research funding.

397 (b) Beginning in 2008 and each year thereafter, the
398 council shall submit to the Legislature by February 1 a priority
399 list of biomedical research for funding by the Legislature based
400 upon the applications received. Recommendations to the
401 Legislature shall be made in the form of a list from the council
402 in rank order of priority from the proposal with the highest
403 priority through the proposal with the lowest priority,
404 including the recommended dollar amount and duration for each
405 proposal.

406 (c) ~~(b)~~ The council's overall rank for proposed research
407 shall be based on the score awarded to the proposal by peer
408 reviewers ~~Grants and fellowships shall be awarded by the~~
409 ~~Secretary of Health, after consultation with the council, on the~~
410 ~~basis of scientific merit through, as determined by an open~~
411 ~~competitive peer review process that ensures objectivity,~~
412 ~~consistency, and high quality, and the council's determination~~
413 of the following:

414 1. The projected impact that the proposed research will
415 have on the most deadly and widespread diseases affecting
416 Floridians at the time the grant or fellowship is awarded;

417 2. The likelihood or possibility that the proposed
418 research will result in new treatment modalities or technology
419 during the term of the grant or fellowship; and

420 3. Whether the research proposed offers an efficient use

421 of state funds in order to prevent or cure disease.

422 (d) The following types of applications shall be
 423 considered for funding:

- 424 1. Investigator-initiated research grants.
- 425 2. Institutional research grants.
- 426 3. Predoctoral and postdoctoral research fellowships.

427 (e) Upon a specific appropriation, the council shall award
 428 grants for terms of 1 to 5 years.

429 (f) Beginning in fiscal year 2008-2009 and each fiscal
 430 year thereafter, any program, board, commission, council,
 431 advisory group, or committee created by state law that awards
 432 grants or fellowships for biomedical research shall cease
 433 awarding grants or fellowships using state funds and instead
 434 shall make recommendations to the council and its committees for
 435 the prioritization and award of grants through the James and
 436 Esther King Biomedical Research Program.

437 (g) Beginning in fiscal year 2008-2009 and each fiscal
 438 year thereafter, any program, board, commission, council,
 439 advisory group, or committee created by state law that
 440 facilitates or recommends the award of biomedical research
 441 grants using state funds shall make recommendations to the
 442 council and its committees for the prioritization and award of
 443 grants through the James and Esther King Biomedical Research
 444 Program.

445 (8)(6) To ensure that all proposals for research funding
 446 are appropriate and are evaluated fairly on the basis of
 447 scientific merit, ~~the Secretary of Health, in consultation with~~
 448 the council, shall appoint a peer review panel of independent,

449 | scientifically qualified individuals to review the scientific
450 | content of each proposal and establish its scientific priority
451 | score. The priority scores shall be forwarded to the council and
452 | its committees and must be considered in determining which
453 | proposals shall be recommended for funding.

454 | ~~(9)-(7)~~ The council, the committees, and the peer review
455 | panel shall establish and follow rigorous guidelines for ethical
456 | conduct and adhere to a strict policy with regard to conflict of
457 | interest. A member of the council, a committee, or a panel may
458 | not participate in any discussion or decision with respect to a
459 | research proposal by any firm, entity, or agency with which the
460 | member is associated as a member of the governing body or as an
461 | employee, or with which the member has entered into a
462 | contractual arrangement. Meetings of the council, the
463 | committees, and the peer review panels shall be subject to the
464 | provisions of chapter 119, s. 286.011, and s. 24, Art. I of the
465 | State Constitution.

466 | ~~(10)-(8)~~ The department may contract on a competitive-bid
467 | basis with an appropriate entity to administer the program.
468 | Administrative expenses may not exceed 5 ~~15~~ percent of the total
469 | funds available to the program in any given year.

470 | ~~(11)-(9)~~ The department, after consultation with the
471 | council, may adopt rules pursuant to ss. 120.536(1) and 120.54
472 | ~~as~~ necessary to implement this section.

473 | ~~(12)-(10)~~ In addition to its recommendations to the
474 | Legislature to appropriate money for the award of grants and
475 | fellowships pursuant to subsection (7), the council shall submit
476 | an annual progress report on the state of biomedical research in

477 this state ~~to the Florida Center for Universal Research to~~
 478 ~~Eradicate Disease~~ and to the Governor, the Secretary of Health,
 479 the President of the Senate, and the Speaker of the House of
 480 Representatives by February 1. The report must include:

481 (a) A list of current research projects supported by
 482 grants or fellowships awarded under the program.

483 (b) A list of recipients of program grants or fellowships.

484 (c) A list of publications in peer-reviewed ~~peer reviewed~~
 485 journals involving research supported by grants or fellowships
 486 awarded under the program.

487 (d) The total amount of biomedical research funding
 488 currently flowing into the state.

489 (e) New grants for biomedical research which were funded
 490 based on research supported by grants or fellowships awarded
 491 under the program.

492 (f) Progress in the prevention, diagnosis, treatment, and
 493 cure of the most deadly and widespread diseases, including
 494 cancer, cardiovascular disease, stroke, pulmonary disease,
 495 diabetes, autoimmune and genetic disorders, and neurological
 496 disorders, including Alzheimer's disease, epilepsy, and
 497 Parkinson's disease ~~diseases related to tobacco use, including~~
 498 ~~cancer, cardiovascular disease, stroke, and pulmonary disease.~~

499 ~~(11) The council shall award grants for cancer research~~
 500 ~~through the William G. "Bill" Bankhead, Jr., and David Coley~~
 501 ~~Cancer Research Program created in s. 381.922.~~

502 (13) ~~(12)~~ Beginning in fiscal year 2006-2007, the sum of
 503 \$6 million is appropriated annually from recurring funds in the
 504 General Revenue Fund to the Biomedical Research Trust Fund

505 within the Department of Health for purposes of the James and
506 Esther King Biomedical Research Program pursuant to this
507 section. This paragraph expires June 30, 2008. ~~From these funds~~
508 ~~up to \$250,000 shall be available for the operating costs of the~~
509 ~~Florida Center for Universal Research to Eradicate Disease.~~

510 (b) Beginning in fiscal year 2008-2009 and each fiscal
511 year thereafter, the Legislature may appropriate funds from
512 recurring funds in the General Revenue Fund to the Biomedical
513 Research Trust Fund within the Department of Health for purposes
514 of the James and Esther King Biomedical Research Program. Any
515 research grant or fellowship for cancer research awarded
516 pursuant to this section shall be named a "Bankhead-Coley Cancer
517 Grant." Any research grant or fellowship awarded for Alzheimer's
518 research pursuant to this section shall be named a "Johnnie B.
519 Byrd, Sr., Alzheimer's Grant." Any other research grant or
520 fellowship awarded pursuant to this section shall be named a
521 "James and Esther King Biomedical Research Grant."

522 (c) Notwithstanding subsection (7), beginning in fiscal
523 year 2008-2009 and each fiscal year thereafter, the Legislature
524 shall appropriate annually no less than \$5 million from
525 recurring funds in the General Revenue Fund to the Biomedical
526 Research Trust Fund within the Department of Health, which shall
527 be designated for Bankhead-Coley Cancer Grants.

528 (d) Notwithstanding subsection (7), beginning in fiscal
529 year 2008-2009 and each fiscal year thereafter, the Legislature
530 shall appropriate annually no less than \$2 million from
531 recurring funds in the General Revenue Fund to the Biomedical
532 Research Trust Fund within the Department of Health, which shall

533 be designated for Johnnie B. Byrd, Sr., Alzheimer's Grants.

534 (14)~~(13)~~ By June 1, 2009, the Division of Statutory
 535 Revision of the Office of Legislative Services shall certify to
 536 the President of the Senate and the Speaker of the House of
 537 Representatives the language and statutory citation of this
 538 section, which is scheduled to expire January 1, 2011.

539 (15)~~(14)~~ The Legislature shall review the performance, the
 540 outcomes, and the financial management of the James and Esther
 541 King Biomedical Research Program during the 2010 Regular Session
 542 of the Legislature and shall determine the most appropriate
 543 funding source and means of funding the program based on its
 544 review.

545 (16)~~(15)~~ This section expires January 1, 2011, unless
 546 reviewed and reenacted by the Legislature before that date.

547 Section 4. Subsection (3) of section 381.79, Florida
 548 Statutes, is amended to read:

549 381.79 Brain and Spinal Cord Injury Program Trust Fund.--

550 (3) Annually, 5 percent of the revenues deposited monthly
 551 in the fund pursuant to s. 318.21(2)(d) shall be appropriated to
 552 the University of Florida and 5 percent to the University of
 553 Miami for spinal cord injury and brain injury research. The
 554 amount to be distributed to the universities shall be calculated
 555 based on the deposits into the fund for each quarter in the
 556 fiscal year, but may not exceed \$500,000 per university per
 557 year. Funds distributed under this subsection shall be made in
 558 quarterly payments at the end of each quarter during the fiscal
 559 year. This subsection expires June 30, 2008.

560 Section 5. Paragraph (h) is added to subsection (4) of

561 section 381.853, Florida Statutes, to read:

562 381.853 Florida Center for Brain Tumor Research.--

563 (4) The Florida Center for Brain Tumor Research is
 564 established within the Evelyn F. and William L. McKnight Brain
 565 Institute of the University of Florida.

566 (h) Beginning in fiscal year 2008-2009 and each fiscal
 567 year thereafter, if the center seeks to conduct biomedical
 568 research or intends to award or recommend the award of grants or
 569 fellowships for biomedical research using state funds, the
 570 center shall apply for grants or fellowships from or make
 571 recommendations for the award of grants or fellowships to the
 572 Biomedical Research Advisory Council in the James and Esther
 573 King Biomedical Research Program pursuant to s. 215.5602.

574 Section 6. Subsection (1) of section 381.912, Florida
 575 Statutes, is amended to read:

576 381.912 Cervical Cancer Elimination Task Force.--

577 (1) Effective July 1, 2004, the Cervical Cancer
 578 Elimination Task Force is established for the purpose of
 579 recommending strategies and actions to reduce the costs and
 580 burdens of cervical cancer in Florida. The task force shall
 581 present interim reports to the William G. "Bill" Bankhead, Jr.,
 582 and David Coley Cancer Research Council Florida Public Health
 583 Foundation, Inc., the Florida Cancer Council, the Center for
 584 Universal Research to Eradicate Disease, the Governor, the
 585 President of the Senate, and the Speaker of the House of
 586 Representatives on January 1, 2006, and July 1, 2007, with a
 587 final report due on June 30, 2008. After submitting its final
 588 report on or before June 30, 2008, the task force is dissolved.

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589 Section 7. Subsections (2), (5), and (8) of section
590 381.922, Florida Statutes, are amended to read:

591 381.922 William G. "Bill" Bankhead, Jr., and David Coley
592 Cancer Research Program.--

593 (2) The program shall provide grants for cancer research
594 to further the search for cures for cancer.

595 (a) Emphasis shall be given to the goals enumerated in s.
596 381.923 ~~381.921~~, as those goals support the advancement of such
597 cures.

598 (b) Preference may be given to grant proposals that foster
599 collaborations among institutions, researchers, and community
600 practitioners, as such proposals support the advancement of
601 cures through basic or applied research, including clinical
602 trials involving cancer patients and related networks.

603 (5) Beginning in fiscal year 2006-2007, the sum of \$9
604 million is appropriated annually from recurring funds in the
605 General Revenue Fund to the Biomedical Research Trust Fund
606 within the Department of Health for purposes of the William G.
607 "Bill" Bankhead, Jr., and David Coley Cancer Research Program
608 and shall be distributed pursuant to this section to provide
609 grants to researchers seeking cures for cancer, with emphasis
610 given to the goals enumerated in s. 381.923 ~~381.921~~. From the
611 total funds appropriated, an amount of up to 10 percent may be
612 used for administrative expenses.

613 (8) This section expires June 30, 2008 ~~January 1, 2011~~,
614 ~~unless reviewed and reenacted by the Legislature before that~~
615 ~~date.~~

616 Section 8. Section 381.923, Florida Statutes, is created

617 to read:

618 381.923 William G. "Bill" Bankhead, Jr., and David Coley
619 Cancer Research Council.--

620 (1) Effective July 1, 2007, the William G. "Bill"
621 Bankhead, Jr., and David Coley Cancer Research Council, which
622 may be cited as the "Bankhead-Coley Cancer Council," is created
623 within the Department of Health for the purpose of making the
624 state a center of excellence for cancer research.

625 (2) (a) The council shall be representative of the state's
626 cancer centers, hospitals, and patient groups and shall be
627 organized and shall operate in accordance with this section.

628 (b) The members of the council shall consist of:

629 1. The chair of the Florida Dialogue on Cancer, who shall
630 serve as the chair of the council.

631 2. The Deputy Secretary for Health or his or her designee.

632 3. The chief executive officer of the H. Lee Moffitt
633 Cancer Center or his or her designee.

634 4. The director of the University of Florida Shands Cancer
635 Center or his or her designee.

636 5. The chief executive officer of the University of Miami
637 Sylvester Comprehensive Cancer Center or his or her designee.

638 6. The chief executive officer of the Mayo Clinic,
639 Jacksonville, or his or her designee.

640 7. The chief executive officer of the American Cancer
641 Society, Florida Division, Inc., or his or her designee.

642 8. The president of the American Cancer Society, Florida
643 Division, Inc., Board of Directors or his or her designee.

644 9. The president of the Florida Society of Clinical

645 Oncology or his or her designee.

646 10. The president of the American College of Surgeons,
647 Florida Chapter, or his or her designee.

648 11. The chief executive officer of Enterprise Florida,
649 Inc., or his or her designee.

650 12. Five representatives from cancer programs approved by
651 the American College of Surgeons. Three of the five shall be
652 appointed by the Governor, one shall be appointed by the Speaker
653 of the House of Representatives, and one shall be appointed by
654 the President of the Senate.

655 13. One member of the House of Representatives, to be
656 appointed by the Speaker of the House of Representatives.

657 14. One member of the Senate, to be appointed by the
658 President of the Senate.

659 (c) Appointments made by the Speaker of the House of
660 Representatives and the President of the Senate pursuant to
661 paragraph (b) shall be for 2-year terms, concurrent with the
662 bienniums in which they serve as presiding officers.

663 (d) Appointments made by the Governor pursuant to
664 paragraph (b) shall be for 2-year terms, although the Governor
665 may reappoint members.

666 (e) Members of the council shall serve without
667 compensation, and each organization represented on the council
668 shall cover the expenses of its representative.

669 (3) The council shall issue an annual report to the James
670 and Esther King Biomedical Research Program, the Governor, the
671 Speaker of the House of Representatives, and the President of
672 the Senate by December 15 of each year, with policy

673 recommendations regarding cancer research capacity in the state
674 and related issues.

675 (4) The council shall make recommendations for the award
676 of cancer research grants or fellowships to the James and Esther
677 King Biomedical Research Program pursuant to s. 215.5602.

678 (5) The council shall ensure that the goals of the council
679 are advanced and shall endeavor to dramatically improve cancer
680 research and treatment in this state through:

681 (a) Efforts to significantly expand cancer research
682 capacity in the state by:

683 1. Identifying ways to attract new research talent and
684 attendant national grant-producing researchers to cancer
685 research facilities in this state.

686 2. Encouraging the employment of bioinformatics in order
687 to create a cancer informatics infrastructure that enhances
688 information and resource exchange and integration through
689 researchers working in diverse disciplines, to facilitate the
690 full spectrum of cancer investigations.

691 3. Facilitating the technical coordination, business
692 development, and support of intellectual property as it relates
693 to the advancement of cancer research.

694 4. Aiding in other multidisciplinary research-support
695 activities as they inure to the advancement of cancer research.

696 (b) Efforts to improve both research and treatment through
697 greater participation in clinical trials networks by:

698 1. Identifying ways to increase adult enrollment in cancer
699 clinical trials.

700 2. Supporting public and private professional education

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701 programs designed to increase the awareness and knowledge about
 702 cancer clinical trials.

703 3. Providing tools to cancer patients and community-based
 704 oncologists to aid in the identification of cancer clinical
 705 trials available in the state.

706 4. Creating opportunities for the state's academic cancer
 707 centers to collaborate with community-based oncologists in
 708 cancer clinical trials networks.

709 (c) Efforts to reduce the impact of cancer on disparate
 710 groups by:

711 1. Identifying those cancers that disproportionately
 712 impact certain demographic groups.

713 2. Building collaborations designed to reduce health
 714 disparities as they relate to cancer.

715 Section 9. Subsections (8) and (12) of section 381.98,
 716 Florida Statutes, are amended to read:

717 381.98 The Florida Public Health Foundation, Inc.;
 718 establishment; purpose; mission; duties; board of directors.--

719 (8) The corporation, in consultation with the Department
 720 of Health ~~and the Florida Center for Universal Research to~~
 721 ~~Eradicate Disease~~, shall facilitate communication between
 722 biomedical researchers and health care providers each month
 723 according to the health awareness schedule established by the
 724 Florida Public Health Foundation, Inc., in order to ensure
 725 ongoing dialogue between researchers, treatment providers, and
 726 the department.

727 (12) The corporation shall provide an annual report
 728 concerning its activities and finances to ~~the Florida Center for~~

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729 ~~Universal Research to Eradicate Disease and shall provide copies~~
730 ~~of the annual report to the Governor, the President of the~~
731 ~~Senate, and the Speaker of the House of Representatives.~~

732 Section 10. Subsection (5) is added to section 430.501,
733 Florida Statutes, to read:

734 430.501 Alzheimer's Disease Advisory Committee; research
735 grants.--

736 (5) Beginning in fiscal year 2008-2009 and each fiscal
737 year thereafter, if the committee seeks to award or make
738 recommendations for the award of biomedical research grants or
739 fellowships using state funds, the committee shall apply for
740 grants or fellowships from, or make recommendations for the
741 award of grants or fellowships by, the Biomedical Research
742 Advisory Council in the James and Esther King Biomedical
743 Research Program pursuant to s. 215.5602.

744 Section 11. Subsections (8) and (12) of section 1004.445,
745 Florida Statutes are amended to read:

746 1004.445 Johnnie B. Byrd, Sr., Alzheimer's Center and
747 Research Institute.--

748 (8) (a) Applications for Alzheimer's disease research
749 funding may be submitted from any university or established
750 research institute in the state. All qualified investigators in
751 the state, regardless of institutional affiliation, shall have
752 equal access and opportunity to compete for the research
753 funding. Grants shall be awarded by the board of directors of
754 the not-for-profit corporation on the basis of scientific merit,
755 as determined by an open, competitive peer review process that
756 ensures objectivity, consistency, and high quality. The

757 following types of applications shall be considered for funding:

758 1. Investigator-initiated research grants.

759 2. Institutional research grants.

760 3. Collaborative research grants, including those that
761 advance the finding of cures through basic or applied research.

762 (b) Preference may be given to grant proposals that foster
763 collaboration among institutions, researchers, and community
764 practitioners because these proposals support the advancement of
765 cures through basic or applied research, including clinical
766 trials involving Alzheimer's patients and related networks.

767 (c) To ensure that all proposals for research funding are
768 appropriate and are evaluated fairly on the basis of scientific
769 merit, the board of directors of the not-for-profit corporation,
770 in consultation with the council of scientific advisors, shall
771 appoint a peer review panel of independent, scientifically
772 qualified individuals to review the scientific content of each
773 proposal and establish its scientific priority score. The
774 priority scores shall be forwarded to the council and must be
775 considered by the board of directors of the not-for-profit
776 corporation in determining which proposals shall be recommended
777 for funding.

778 (d) The council of scientific advisors and the peer review
779 panel shall establish and follow rigorous guidelines for ethical
780 conduct and adhere to a strict policy with regard to conflict of
781 interest. All employees, members of the board of directors, and
782 affiliates of the not-for-profit corporation shall follow the
783 same rigorous guidelines for ethical conduct and shall adhere to
784 the same strict policy with regard to conflict of interest. A

785 member of the council or panel may not participate in any
786 discussion or decision with respect to a research proposal by
787 any firm, entity, or agency with which the member is associated
788 as a member of the governing body or as an employee or with
789 which the member has entered into a contractual arrangement.
790 Meetings of the council and the peer review panels are subject
791 to chapter 119, s. 286.011, and s. 24, Art. I of the State
792 Constitution.

793 (e) This subsection expires June 30, 2008.

794 (12) (a) Beginning in fiscal year 2006-2007, the sum of \$15
795 million is appropriated annually from recurring funds in the
796 General Revenue Fund to the Grants and Donations Trust Fund
797 within the Department of Elderly Affairs for the Johnnie B.
798 Byrd, Sr., Alzheimer's Center and Research Institute at the
799 University of South Florida for the purposes as provided under
800 paragraph (6) (a), conducting and supporting research, providing
801 institutional research grants and investigator-initiated
802 research grants, developing and operating integrated data
803 projects, and providing assistance to statutorily designated
804 memory disorder clinics as provided under s. 430.502. Not less
805 than 80 percent of the appropriated funds shall be expended for
806 these purposes, and not less than 20 percent of the appropriated
807 funds shall be expended for peer-reviewed investigator-initiated
808 research grants. This paragraph expires June 30, 2008.

809 (b) Beginning in fiscal year 2008-2009 and each fiscal
810 year thereafter, the sum of \$5 million is appropriated annually
811 from recurring funds in the General Revenue Fund to the Grants
812 and Donations Trust Fund within the Department of Elderly

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813 Affairs for the Johnnie B. Byrd, Sr., Alzheimer's Center and
814 Research Institute at the University of South Florida to develop
815 and operate integrated data projects and provide assistance to
816 statutorily designated memory disorder clinics as provided under
817 s. 430.502. If the Johnnie B. Byrd, Sr., Alzheimer's Center and
818 Research Institute seeks to conduct or intends to award grants
819 or fellowships for biomedical research using state funds, the
820 Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute
821 shall apply for grants or fellowships from or make
822 recommendations for the award of grants or fellowships to the
823 Biomedical Research Advisory Council within the James and Esther
824 King Biomedical Research Program pursuant to s. 215.5602.

825 Section 12. Sections 381.855, 381.92, and 381.921, Florida
826 Statutes, are repealed.

827 Section 13. If any provision of this act or the
828 application thereof to any person or circumstance is held
829 invalid, the invalidity does not affect other provisions or
830 applications of the act which can be given effect without the
831 invalid provision or application, and to this end the provisions
832 of this act are declared severable.

833 Section 14. This act shall take effect July 1, 2007.