

PCB HQS 13-01

ORIGINAL

YEAR

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 requiring the department to conduct two application  
 18 cycles each year; specifying that ch. 120, F.S., does  
 19 not apply to the applications or notification of  
 20 entities that are eligible for the award; requiring  
 21 the State Surgeon General to assemble an evaluation  
 22 team to assess applications; requiring each  
 23 application to be evaluated independently of any other  
 24 application; providing membership of and requirements  
 25 for the evaluation team; providing duties of the  
 26 members of the evaluation team; requiring the State  
 27 Surgeon General to notify the Governor of the  
 28 providers that are eligible to receive the award;

PCB HQS 13-01

ORIGINAL

YEAR

29 | limiting the duration of the award; authorizing an  
 30 | award-winning cancer provider to use the designation  
 31 | in its advertising and marketing; providing that an  
 32 | award-winning cancer provider is granted preference in  
 33 | competitive solicitations for a specified period of  
 34 | time; requiring the State Surgeon General to report to  
 35 | the Legislature by a specified date, and annually  
 36 | thereafter, the status of implementing the award  
 37 | program; requiring the Department of Health to adopt  
 38 | rules related to the application cycles and submission  
 39 | of the application forms; amending s. 215.5602, F.S.;  
 40 | revising the responsibilities of the Biomedical  
 41 | Research Advisory Council with regard to the Cancer  
 42 | Center of Excellence Award program; amending s.  
 43 | 381.922, F.S.; authorizing endowments under the  
 44 | William G. "Bill" Bankhead, Jr., and David Coley  
 45 | Cancer Research Program for establishing funded  
 46 | research chairs at research institutions contingent  
 47 | upon an appropriation; requiring submission of  
 48 | proposals; requiring that research institutions report  
 49 | certain information regarding the selected research  
 50 | chair of the endowment and other information about the  
 51 | endowment; providing for qualifications of the chair;  
 52 | specifying the use of the funds in the endowment;  
 53 | amending s. 1004.435, F.S.; revising the  
 54 | responsibilities of the Florida Cancer Control and  
 55 | Research Advisory Council with regard to the Cancer  
 56 | Center of Excellence Award program; providing an

PCB HQS 13-01

ORIGINAL

YEAR

57 | effective date.

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59 | Section 1. Section 381.925, Florida Statutes, is created  
60 | to read:

61 | 381.925 Cancer Center of Excellence Award.—

62 | (1) The Legislature intends to recognize hospitals,  
63 | treatment centers, and other providers in this state which  
64 | demonstrate excellence in patient-centered, coordinated care for  
65 | persons undergoing cancer treatment and therapy in this state.  
66 | The goal of this program is to encourage excellence in cancer  
67 | care in this state, attract and retain the best cancer care  
68 | providers to the state, and help Florida providers be recognized  
69 | nationally as a preferred destination for quality cancer care.  
70 | The Cancer Center of Excellence Award will recognize providers  
71 | that exceed service standards and excel in providing a quality,  
72 | comprehensive, and patient-centered, coordinated care program.

73 | (2) The Florida Cancer Control and Research Advisory  
74 | Council, established in s. 1004.435, and the Biomedical Research  
75 | Advisory Council, established in s. 215.5602, shall jointly  
76 | develop rigorous performance measures, a rating system, and a  
77 | rating standard that must be achieved to document and  
78 | distinguish a cancer center that excels in providing a quality,  
79 | comprehensive, and patient-centered coordinated care program. At  
80 | a minimum, the criteria must require that each hospital,  
81 | treatment center, or other provider:

82 | (a) Maintain a license in this state which authorizes  
83 | health care services to be provided. A provider may not have  
84 | been disciplined or subjected to any administrative enforcement

PCB HQS 13-01

ORIGINAL

YEAR

85 action by state or federal regulatory authorities within the  
 86 preceding 3 years.

87 (b) Be accredited by the Commission on Cancer of the  
 88 American College of Surgeons.

89 (c) Actively participate in at least one regional cancer  
 90 control collaborative that is operating pursuant to the Florida  
 91 Comprehensive Cancer Control Program's cooperative agreement  
 92 with the Centers for Disease Control and Prevention's National  
 93 Comprehensive Cancer Control Program.

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

96 1. Coordination of care by cancer specialists and nursing  
 97 and allied health professionals.

98 2. Psychosocial assessment and services.

99 3. Suitable and timely referrals and followup.

100 4. Providing accurate and complete information on  
 101 treatment options, including clinical trials, which consider  
 102 each person's needs, preferences, and resources, whether  
 103 provided by that center or available through other health care  
 104 providers.

105 5. Participation in a comprehensive network of cancer  
 106 specialists of multiple disciplines, which enables the patient  
 107 to consult with a variety of experts to examine treatment  
 108 alternatives.

109 6. Family services and support.

110 7. Aftercare and survivor services.

111 8. Patient and family satisfaction survey results.

112 (3) (a) A provider may apply to the Department of Health

PCB HQS 13-01

ORIGINAL

YEAR

113 for a Cancer Center of Excellence Award. The Florida Cancer  
 114 Control and Research Advisory Council and the Biomedical  
 115 Research Advisory Council shall jointly develop an application  
 116 form that requires, among other things, submission of  
 117 documentation by the provider which demonstrates that the  
 118 criteria in subsection (2) have been met.

119 (b) The Department of Health shall annually conduct two  
 120 application cycles. The applications are not applications for  
 121 licensure; the notification by the State Surgeon General to the  
 122 Governor of the entities that are eligible for the award is not  
 123 final agency action; and the Cancer Center of Excellence Award  
 124 program is not subject to the provisions of chapter 120.

125 (4) (a) The State Surgeon General shall appoint a team of  
 126 independent evaluators to assess applicants to determine  
 127 eligibility for the award. An application is to be evaluated  
 128 independently of any other application. The team shall consist  
 129 of five evaluators to be selected, in any combination, from the  
 130 following:

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

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

136 3. No more than two members from the Biomedical Research  
 137 and Advisory Council; and

138 4. No more than one layperson who has experience as a  
 139 cancer patient or as a family member of a cancer patient if that  
 140 person or his or her family member did not receive care from the

PCB HQS 13-01

ORIGINAL

YEAR

141 applicant or providers being evaluated.

142 (b) Each evaluator must be independent and free of any  
 143 conflict of interest with respect to a health care provider or  
 144 facility licensed in this state. Each person selected to  
 145 participate on the evaluation team must sign a conflict of  
 146 interest attestation before being appointed to the evaluation  
 147 team.

148 (5) (a) Two evaluation team members may, as necessary,  
 149 verify onsite documentation submitted with an application for  
 150 the award.

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

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

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

163 (8) A provider that receives a Cancer Center of Excellence  
 164 Award may use the designation in its advertising and marketing  
 165 for up to 3 years from the date of the award. In addition, a  
 166 provider that receives a Cancer Center of Excellence Award may  
 167 be granted, for 3 years from the date of the award, a preference  
 168 in competitive solicitations undertaken by a state agency or

PCB HQS 13-01

ORIGINAL

YEAR

169 state university.

170 (9) The State Surgeon General shall report to the  
 171 President of the Senate and the Speaker of the House of  
 172 Representatives by January 31, 2014, and annually thereafter,  
 173 the status of implementing the Cancer Center of Excellence Award  
 174 program, metrics on the number of applications received and the  
 175 number of award recipients by application cycle, a list of award  
 176 recipients, and recommendations for legislation to strengthen  
 177 the program.

178 (10) The Department of Health shall adopt rules related to  
 179 the application cycles and submission of the application form.

180 Section 2. Paragraph (j) is added to subsection (4) of  
 181 section 215.5602, Florida Statutes, to read:

182 215.5602 James and Esther King Biomedical Research  
 183 Program.—

184 (4) The council shall advise the State Surgeon General as  
 185 to the direction and scope of the biomedical research program.  
 186 The responsibilities of the council may include, but are not  
 187 limited to:

188 (j) The council shall, with the Florida Cancer Control and  
 189 Research Advisory Council, jointly develop performance measures,  
 190 a rating system, a rating standard, and an application form for  
 191 the Cancer Center of Excellence Award created in s. 381.925. The  
 192 council shall also support the State Surgeon General in  
 193 implementing the award program by ensuring that at least two  
 194 members of the council, who must be independent of the  
 195 applicants for the award, are available to serve on the  
 196 evaluation team as requested by the State Surgeon General. The

PCB HQS 13-01

ORIGINAL

YEAR

197 council shall advise the State Surgeon General with respect to  
 198 the Cancer Center for Excellence Award program.

199 Section 3. Subsection (4) of section 381.922, Florida  
 200 Statutes, is renumbered as subsection (5), and a new subsection  
 201 (4) is added to that section, to read:

202 381.922 William G. "Bill" Bankhead, Jr., and David Coley  
 203 Cancer Research Program.—

204 (4) In order to attract and retain experienced research  
 205 talent and attendant national grant-producing researchers to  
 206 cancer research institutions in this state, the Department of  
 207 Health shall award endowments to cancer research institutions  
 208 for establishing a funded research chair, pursuant to the  
 209 General Appropriations Act specifying an appropriation for this  
 210 purpose. The purpose of the endowment is to provide a secure  
 211 funding for at least 7 years to attract an experienced and  
 212 promising researcher whose continued employment for this period  
 213 is not contingent upon grant awards associated with time-limited  
 214 research projects. In addition, the Legislature intends for a  
 215 chair to specialize in a cancer-related research field that will  
 216 facilitate coordination among research institutions within the  
 217 state and attract other promising researchers and funding to the  
 218 state.

219 (a) Any research institution funded pursuant to this  
 220 subsection shall provide to the Governor, the President of the  
 221 Senate, and the Speaker of the House of Representatives a report  
 222 that must, at a minimum, describe the research program and  
 223 general responsibilities of the researcher who is to selected  
 224 for the endowed chair. Upon final selection of the research

PCB HQS 13-01

ORIGINAL

YEAR

225 chair, or if it becomes necessary to identify a replacement  
 226 research chair, the research institution shall notify the chair  
 227 of the Appropriations Committee of the Senate and the chair of  
 228 the Appropriations Committee of the House of Representatives the  
 229 research chair's name, the endowment budget, and the specific  
 230 research responsibilities. The research institution shall  
 231 annually report to the President of the Senate and the Speaker  
 232 of the House of Representatives the research chair's name,  
 233 current salary, research responsibilities, percentage of time  
 234 devoted to research if the chair also serves as a member of the  
 235 faculty, reports on research progress and progress toward  
 236 achieving the goals of this program, endowment expenditures and  
 237 balance, interest rate, and interest earned on the endowment.

238 Section 4. Paragraph (r) of subsection (4) of section  
 239 1004.435, Florida Statutes, is redesignated as paragraph (s),  
 240 and a new paragraph (r) is added to that subsection, to read:

241 1004.435 Cancer control and research.—

242 (4) FLORIDA CANCER CONTROL AND RESEARCH ADVISORY COUNCIL;  
 243 CREATION; COMPOSITION.—

244 (r) The council shall, with the Biomedical Research  
 245 Advisory Council, jointly develop performance measures, a rating  
 246 system, a rating standard, and an application form for the  
 247 Cancer Center of Excellence Award created in s. 381.925. The  
 248 council shall also support the State Surgeon General in  
 249 implementing the Cancer Center of Excellence Award program by  
 250 ensuring that at least three members of the council, who must be  
 251 independent of the applicants for the award, are available to  
 252 serve on the evaluation team as requested by the State Surgeon

PCB HQS 13-01

ORIGINAL

YEAR

253 | General. The council shall advise the State Surgeon General with  
254 | respect to the Cancer Center for Excellence Award program.

255 | Section 5. This act shall take effect July 1, 2013.