

Committee Substitute for House Bill No. 1213

An act relating to health care; establishing the Prostate Cancer Task Force; providing for representation on the task force; providing responsibilities; requiring a report to the Governor and the Legislature; providing for future repeal; amending s. 240.5121, F.S.; increasing membership of the Florida Cancer Control and Research Advisory Council; requiring the council to purchase or develop a written summary of cancer treatment alternatives for prostate cancer; providing appropriations for developing or purchasing and for distributing bilingual pamphlets, and for developing and implementing education programs, on prostate cancer and breast cancer; providing an effective date.

WHEREAS, the Legislature finds that prostate cancer accounts for 32 percent of all cancer cases in males, and 14 percent of all cancer deaths in males, and

WHEREAS, the Legislature also finds that an estimated 21,538 men in this state will have developed prostate cancer in 1995 and that prostate cancer is the most common form of cancer for men in Florida and that prostate cancer will have accounted for 14 percent of all cancer related deaths in males in 1995, and

WHEREAS, the Legislature finds that for men diagnosed with prostate cancer between 1986-1993 early detection resulted in significant improvement of survival rates, and that the key to treatment of prostate cancer is the early detection of its existence, and

WHEREAS, through the establishment of a state task force on prostate cancer, the Legislature intends to decrease the number of deaths due to prostate cancer by increasing public awareness of prostate cancer and by increasing, through public education, the percentage of men who seek examinations by physicians, and obtain prostate-specific antigen blood tests, and by increasing research and coordination at Florida institutions studying the causes, methods of prevention, and treatment of prostate cancer with private, state, and federal dollars, NOW, THEREFORE,

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

Section 1. Prostate Cancer Task Force.—

(1) There is created within the H. Lee Moffitt Cancer Center and Research Institute at the University of South Florida, the Prostate Cancer Task Force to identify where public awareness, public education, research, and coordination about prostate cancer are lacking and to prepare recommendations to increase research on prostate cancer and the public's awareness of the importance of the early detection and treatment of prostate cancer.

(2) The task force is composed of 18 members to be appointed by July 15, 1998. The Governor shall appoint one representative of the University of Miami School of Medicine, one representative of the public who is a consumer advocate and who has been diagnosed with prostate cancer, one representative of the Florida Cancer Control and Research Advisory Council, one representative of the H. Lee Moffitt Cancer Center and Research Institute, one representative from a statutory teaching hospital affiliated with a community-based cancer center, one representative of the NOVA Southeastern University of Osteopathic Medicine, the Secretary of Health or a designee, and the Insurance Commissioner or a designee. At least two members appointed by the Governor shall be members of an ethnic or racial minority group. The President of the Senate shall appoint one representative of a business that has fewer than 100 employees, one representative of the University of Florida College of Medicine, one representative of the American Cancer Society, one representative of the public who is a consumer advocate and who has been diagnosed with prostate cancer, and one representative of a health maintenance organization. At least one member appointed by the President of the Senate shall be a member of an ethnic or racial minority group. The Speaker of the House of Representatives shall appoint one representative of a business that has more than 300 employees, one representative of the University of South Florida College of Medicine, one representative of the Association of Community Cancer Centers, one representative of the public who is a consumer advocate, and one representative of the insurance industry. At least one member appointed by the Speaker of the House of Representatives shall be a member of an ethnic or racial minority group.

(3) The task force shall exist for 2 years and shall meet as often as necessary to carry out its duties and responsibilities. Within existing resources, the H. Lee Moffitt Cancer Center and Research Institute shall provide support services to the task force.

(4) The members of the task force shall serve without compensation.

(5) The task force may obtain information and assistance from any state agency. All state agencies must give the task force all relevant information and reasonable assistance on matters related to prostate cancer.

(6) The task force shall collect research and information on prostate cancer and shall prepare recommendations for reducing the incidence and the number of deaths related to prostate cancer in this state, in a report submitted to the Governor and the Legislature by January 15, 2000. The task force must review and report on:

(a) The Florida Insurance Code as it relates to coverage for prostate cancer screening and treatment options. The task force shall include in its report recommended changes to the Florida Insurance Code, including specific statutory language, if the task force determines such changes are necessary to ensure that policyholders have coverage for appropriate and necessary prostate cancer prevention, screening, and treatment. If any legislative changes are recommended which would mandate a health coverage or the offering of a health coverage, the task force must assess the impact of the proposal as specified in s. 624.215, Florida Statutes.

(b) Approaches to be used by state and local governments to increase public awareness of prostate cancer.

(c) Approaches to improving coordination of agencies and institutions involved in research and treatment of prostate cancer.

(d) A plan for reducing the number of deaths related to prostate cancer in this state, including:

1. The best methods to ensure that the percentage of men in this state who receive the prostate-specific antigen blood test increases.

2. The best methods to ensure that the percentage of men in this state who seek examinations from physicians increases.

(e) A plan for increasing research and appropriate funding at Florida institutions studying cancer.

(f) A program to monitor the implementation and effectiveness of task force recommendations.

(7) This section is repealed effective July 1, 2000.

Section 2. Paragraphs (a) and (m) of subsection (4) of section 240.5121, Florida Statutes, are amended to read:

240.5121 Cancer control and research.—

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

(a) There is created within the H. Lee Moffitt Cancer Center and Research Institute, Inc., the Florida Cancer Control and Research Advisory Council. The council shall consist of ~~35~~ 32 members, which includes the chairperson, all of whom must be residents of this state. All members, except those appointed by the Speaker of the House of Representatives and the President of the Senate, must be appointed by the Governor. At least one of the members appointed by the Governor must be 60 years of age or older. One member must be a representative of the American Cancer Society; one member must be a representative of the Florida Tumor Registrars Association; one member must be a representative of the Sylvester Comprehensive Cancer Center of the University of Miami; one member must be a representative of the Department of Health and ~~Rehabilitative Services~~; one member must be a representative of the University of Florida Shands Cancer Center; one member must be a representative of the Agency for Health Care Administration; one member must be a representative of the Florida Nurses Association; one member must be a representative of the Florida Osteopathic Medical Association; one member must be a representative of the American College of Surgeons; one member must be a representative of the School of Medicine of the University of Miami; one member must be a representative of the College of Medicine of the University of Florida; one member must be a representative of NOVA Southeastern College of Osteopathic Medicine; one member must be a representative of the College of Medicine of the

University of South Florida; one member must be a representative of the College of Public Health of the University of South Florida; one member must be a representative of the Florida Society of Clinical Oncology; one member must be a representative of the Florida Obstetric and Gynecologic Society who has had training in the specialty of gynecologic oncology; one member must be a representative of the Florida Medical Association; one member must be a member of the Florida Pediatric Society; one member must be a representative of the Florida Radiological Society; one member must be a representative of the Florida Society of Pathologists; one member must be a representative of the H. Lee Moffitt Cancer Center and Research Institute, Inc.; three members must be representatives of the general public acting as consumer advocates; one member must be a member of the House of Representatives appointed by the Speaker of the House; one member must be a member of the Senate appointed by the President of the Senate; one member must be a representative of the Department of Education; one member must be a representative of the Florida Dental Association; one member must be a representative of the Florida Hospital Association; one member must be a representative of the Association of Community Cancer Centers; one member shall be a representative from a statutory teaching hospital affiliated with a community-based cancer center; ~~and one member must be a representative of the Florida Association of Pediatric Tumor Programs, Inc.; one member must be a representative of the Cancer Information Service; one member must be a representative of the Florida Agricultural and Mechanical University Institute of Public Health; and one member must be a representative of the Florida Society of Oncology Social Workers.~~ Of the members of the council appointed by the Governor, at least 10 must be individuals who are minority persons as defined by s. 288.703(3).

(m) If funds are specifically appropriated by the Legislature, the council shall develop or purchase a standardized written summaries summary, written in layperson's terms and in language easily understood by the average adult patient, informing actual and high-risk breast cancer patients, prostate cancer patients, and men who are considering prostate cancer screening of the medically viable treatment alternatives available to them in the effective management of breast cancer and prostate cancer; describing such treatment alternatives; and explaining the relative advantages, disadvantages, and risks associated therewith. The breast cancer ~~Such~~ summary, upon its completion, shall be printed in the form of a pamphlet or booklet and made continuously available to physicians and surgeons in this state for their use in accordance with s. 458.324 and to osteopathic physicians in this state for their use in accordance with s. 459.0125. The council shall periodically update both summaries ~~the pamphlet~~ to reflect current standards of medical practice in the treatment of breast cancer and prostate cancer. The council shall develop and implement an educational programs program, including distribution of the summaries pamphlet or booklet developed or purchased under this paragraph, to inform citizen groups, associations, and voluntary organizations about early detection and treatment of breast cancer and prostate cancer.

Section 3. There is hereby appropriated from the General Revenue Fund to the H. Lee Moffitt Cancer Center and Research Institute at the University of South Florida the sum of \$50,000 for fiscal year 1998-1999 to be used by

the Cancer Control and Research Advisory Council to produce or purchase and to distribute pamphlets, in English and in Spanish, that inform patients about treatment alternatives for prostate cancer and to develop and implement an educational program that includes the distribution of the pamphlets, as required by s. 240.5121, Florida Statutes.

Section 4. There is hereby appropriated from the General Revenue Fund to the H. Lee Moffitt Cancer Center and Research Institute at the University of South Florida the sum of \$50,000 for fiscal year 1998-1999 to be used by the Cancer Control and Research Advisory Council to produce or purchase and to distribute pamphlets, in English and in Spanish, that inform patients about treatment alternatives for breast cancer and to develop and implement an educational program that includes the distribution of the pamphlets, as required by s. 240.5121, Florida Statutes.

Section 5. This act shall take effect July 1 of the year in which enacted.

Approved by the Governor May 29, 1998.

Filed in Office Secretary of State May 29, 1998.