

House Bill No. 331

An act relating to public health initiatives; amending s. 381.98, F.S.; establishing the Florida Public Health Institute, Inc., and deleting provisions relating to the Florida Public Health Foundation, Inc.; providing purposes of the institute; providing for the institute to operate as a not-for-profit corporation; revising composition of the board of directors; removing obsolete language relating to certain research; requiring annual reports to the Legislature; amending ss. 381.855, 381.911, and 381.981, F.S.; conforming terminology; providing an effective date.

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

Section 1. Section 381.98, Florida Statutes, is amended to read:

381.98 The Florida Public Health Institute Foundation, Inc.; establishment; purpose; mission; duties; board of directors.—

(1) The Florida Public Health Institute Foundation, Inc., referred to in this section as “the corporation,” is established for the purpose of advancing the knowledge and practice of public health, including disseminating breakthrough findings in biomedical research and promoting health awareness in this state and providing services to the Department of Health.

~~(2) The corporation’s mission includes disseminating information about innovative biomedical research and clinical trials in this state as well as making Floridians and their treatment providers aware of specified diseases and conditions and available methods of preventing, diagnosing, treating, and curing those diseases and conditions.~~

~~(2)(3)~~ The purpose and objective of the corporation shall be to operate exclusively for charitable, scientific, and educational purposes; to protect and improve the health and well-being of Florida’s people and environment through partnerships committed to program innovation, education, applied research, and policy development; and to engage in charitable programs dedicated to improving the health of Floridians.

~~(3)(4)~~ The corporation shall be established as a not-for-profit entity qualifying under s. 501(c)(3) of the Internal Revenue Code. The corporation may receive, hold, invest, and administer property and any moneys acquired from private, local, state, and federal sources, as well as technical and professional income generated or derived from the mission-related activities of the corporation. The corporation shall have all of the powers conferred upon corporations organized under chapter 617.

~~(4)(5)~~ The corporation’s duties include procuring funds necessary for accomplishing the purpose and mission of the corporation. The corporation shall strive to complement, supplement, and enhance the missions of the various organizations, entities, and departments that provide public health

initiatives represented on its board by serving as the lead corporation in the state for promoting public health awareness.

~~(5)(6)~~ The affairs of the corporation shall be managed by an executive director appointed by a board of directors, ~~consisting of:~~

(6)(a) The board of directors shall be elected in accordance with the by-laws of the corporation and shall include, but not be limited to, the following:

1.(a) The State Surgeon General or his or her designee.

2.(b) A representative of the Florida Public Health Association former member of the Senate appointed by the President of the Senate.

3.(c) Representatives of local health departments, with at least one representative each from the southern, central, and northern geographic areas of the state A former member of the House of Representatives appointed by the Speaker of the House of Representatives.

4.(d) Representatives of institutions of higher learning A representative of the American Heart Association.

5.(e) Representatives of the private health care provider sector, industry or business groups, or philanthropic foundations A representative of the American Cancer Society, Florida Division, Inc.

(b) The majority of board members may not be state employees.

~~(f) A representative of the American Lung Association of Florida.~~

~~(g) A representative of the American Diabetes Association, South Coastal Region.~~

~~(h) A representative of the Alzheimer's Association.~~

~~(i) A representative of the Epilepsy Foundation.~~

~~(j) A representative of the National Parkinson Foundation.~~

~~(k) A representative of the March of Dimes, Florida Chapter.~~

~~(l) A representative of the Arthritis Foundation, Florida Chapter.~~

~~(m) A representative of the American Liver Foundation.~~

~~(n) A representative of the Florida Council for Behavioral Healthcare, Inc.~~

~~(o) A representative of the Florida Alcohol and Drug Abuse Association.~~

~~(p) A representative of Pharmaceutical Research and Manufacturers of America.~~

~~(q) A representative of the Florida Public Health Association.~~

- ~~(r) A representative of the Florida Association of County Health Officers.~~
- ~~(s) A public health academician selected by the State Health Officer.~~
- ~~(t) A representative of the Florida Academy of Family Physicians.~~
- ~~(u) Three consumers who have demonstrated an interest in protecting the public health appointed by the Florida Public Health Association.~~
- ~~(v) A representative of the Florida Association of Health Plans.~~
- ~~(7) Members of the board of directors shall serve for 2-year terms and shall serve without compensation. Each organization represented on the board of directors shall cover the expenses of its representative.~~
- ~~(8) The corporation, in consultation with the Department of Health and the Florida Center for Universal Research to Eradicate Disease, shall facilitate communication between biomedical researchers and health care providers each month according to the health awareness schedule established by the Florida Public Health Foundation, Inc., in order to ensure ongoing dialogue between researchers, treatment providers, and the department.~~
- ~~(7)(9) The corporation and the Department of Health shall enter into partnerships with providers of continuing education for health care practitioners, including, but not limited to, hospitals and state and local medical organizations, to ensure that practitioners are aware of the most recent and complete diagnostic and treatment tools.~~
- ~~(8)(10) The corporation may provide personnel to the Department of Health for the purpose of performing duties and responsibilities outlined in private and public grants received by the Department of Health. These personnel are not state employees and are not entitled to retirement credit and other benefits provided to state employees under chapters 110 and 112. These personnel shall perform services pursuant to an agreement between the corporation and the Department of Health.~~
- ~~(9)(11) The corporation may purchase goods, services, and property for use by the Department of Health. These purchases are not subject to the provisions of chapters 253, 255, and 287, nor to the control or direction of the Department of Environmental Protection or the Department of Management Services.~~
- ~~(10)(12) The corporation shall provide an annual report concerning its activities and finances to the Florida Center for Universal Research to Eradicate Disease and shall provide copies of the annual report to the Governor, the President of the Senate, and the Speaker of the House of Representatives.~~

Section 2. Paragraph (a) of subsection (5) of section 381.855, Florida Statutes, is amended to read:

381.855 Florida Center for Universal Research to Eradicate Disease.—

(5) There is established within the center an advisory council that shall meet at least annually.

(a) The council shall consist of one representative from a Florida not-for-profit institution engaged in basic and clinical biomedical research and education which receives more than \$10 million in annual grant funding from the National Institutes of Health, to be appointed by the State Surgeon General from a different institution each term, and one representative from and appointed by each of the following entities:

1. Enterprise Florida, Inc.
2. BioFlorida.
3. The Biomedical Research Advisory Council.
4. The Florida Medical Foundation.
5. Pharmaceutical Research and Manufacturers of America.
6. The Florida Cancer Council.
7. The American Cancer Society, Florida Division, Inc.
8. The American Heart Association.
9. The American Lung Association of Florida.
10. The American Diabetes Association, South Coastal Region.
11. The Alzheimer's Association.
12. The Epilepsy Foundation.
13. The National Parkinson Foundation.
14. The Florida Public Health Institute ~~Foundation~~, Inc.
15. The Florida Research Consortium.

Section 3. Section 381.911, Florida Statutes, is amended to read:

381.911 Prostate Cancer Awareness Program.—

(1) To the extent that funds are specifically made available for this purpose, the Prostate Cancer Awareness Program is established within the Department of Health. The purpose of this program is to implement the recommendations of January 2000 of the Florida Prostate Cancer Task Force to provide for statewide outreach and health education activities to ensure that men are aware of and appropriately seek medical counseling for prostate cancer as an early-detection health care measure.

(2) For purposes of implementing the program, the Department of Health and the Florida Public Health Institute ~~Foundation~~, Inc., may:

(a) Conduct activities directly or enter into a contract with a qualified nonprofit community education entity.

(b) Seek any available gifts, grants, or funds from the state, the Federal Government, philanthropic foundations, and industry or business groups.

(3) A prostate cancer advisory committee is created to advise and assist the Department of Health and the Florida Public Health Institute Foundation, Inc., in implementing the program.

(a) The State Surgeon General shall appoint the advisory committee members, who shall consist of:

1. Three persons from prostate cancer survivor groups or cancer-related advocacy groups.

2. Three persons who are scientists or clinicians from public universities or research organizations.

3. Three persons who are engaged in the practice of a cancer-related medical specialty from health organizations committed to cancer research and control.

(b) Members shall serve without compensation but are entitled to reimbursement, pursuant to s. 112.061, for per diem and travel expenses incurred in the performance of their official duties.

(4) The program shall coordinate its efforts with those of the Florida Public Health Institute Foundation, Inc.

Section 4. Section 381.981, Florida Statutes, is amended to read:

381.981 Health awareness campaigns.—

(1) The Florida Public Health Institute Foundation, Inc., in consultation with the Department of Health, shall coordinate monthly health awareness campaigns with national, state, and local health care organizations and government entities targeting a wide range of the public, including: parents; teachers and other school employees; students in 4th through 12th grades, colleges, and universities; state agency employees; county and local government employees; patients of county health departments; Medicaid recipients; health care professionals and providers; and the public in general.

(2) The awareness campaigns shall include the provision of educational information about preventing, detecting, treating, and curing the following diseases or conditions. Additional diseases and conditions that impact the public health may be added by the board of directors of the Florida Public Health Institute Foundation, Inc.; however, each of the following diseases or conditions must be included in an awareness campaign during at least 1 month in any 24-month period:

(a) Cancer, including breast, prostate, cervical, ovarian, colorectal, and skin cancer and leukemia.

- (b) Heart disease.
- (c) Stroke.
- (d) Lung disease, including asthma and smoking-relating disease.
- (e) Neurological disorders and disease, including Alzheimer's disease, Parkinson's disease, and epilepsy.
- (f) Gastrointestinal disease.
- (g) Kidney disease.
- (h) Diabetes.
- (i) Liver disease.
- (j) Autoimmune disorders.
- (k) Birth defects and prenatal care.
- (l) Obesity and malnutrition.
- (m) Sexually transmissible disease.
- (n) Hepatitis A, hepatitis B, and hepatitis C.
- (o) Arthritis.
- (p) Vaccine-preventable diseases.
- (q) Infectious diseases, including HIV/AIDS.
- (r) Substance abuse.
- (s) Mental illness.
- (t) Lupus.
- (u) Osteoporosis.

(3) The health awareness campaigns shall be funded by the Florida Public Health ~~Institute Foundation~~, Inc., and the Department of Health to the extent that funds are available from public and private sources.

(4) Health awareness information shall be disseminated through all available methods, including print, audio, visual, and electronic media.

Section 5. This act shall take effect July 1, 2009.

Approved by the Governor June 11, 2009.

Filed in Office Secretary of State June 11, 2009.