

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** HB 7087 PCB HHS -24-03 Cancer Funding

**SPONSOR(S):** Health & Human Services Committee, Borrero

**TIED BILLS:** IDEN./SIM. BILLS:

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
Orig. Comm.: Health & Human Services Committee	20 Y, 0 N	McElroy	Calamas

### SUMMARY ANALYSIS

Cancer is the general term for a group of more than 100 diseases characterized by the uncontrolled growth and spread of abnormal cells. Cancer is the second most common cause of death in the United States, exceeded only by heart disease. Cancer is the second leading cause of death in Florida and Florida has the second-highest number of newly-diagnosed cancer cases in the U.S.

The Casey DeSantis Cancer Research Program's goal is to enhance the quality and competitiveness of cancer care in Florida, further a statewide biomedical research strategy directly responsive to the health needs of Florida's citizens, and capitalize on the potential educational opportunities available to students. Florida-based cancer centers are eligible to join if they are recognized by the National Cancer Institute.

Established in 2023, the Florida Cancer Innovation Fund funds cancer research and innovation. The Fund's mission is to encourage collaboration between oncologists, researchers, and cancer facilities.

HB 7087 revises the purpose of the Casey DeSantis Cancer Research Program (Program) to include promoting the provision of high-quality, innovative health care for persons undergoing cancer treatment in Florida.

The bill creates the Cancer Connect Collaborative council (collaborative) to advise the Department of Health (DOH) and the legislature on developing a holistic approach to the state's efforts to fund cancer research, cancer facilities, and treatments for cancer patients. The collaborative is tasked with administering the Cancer Innovation Fund; the collaborative will review all submitted grant application and make recommendations to DOH for awarding grants to support innovative cancer research and treatment models. The bill requires the collaborative to prioritize applications seeking to expand the reach of innovative cancer treatment models into underserved areas in the state. The bill also requires the collaborative to develop a long-range comprehensive plan for the Program.

The bill has an insignificant, negative fiscal impact on DOH, which current resources are adequate to absorb, and no fiscal impact on state or local government.

The bill provides an effective date of July 1, 2024.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### **Background**

Cancer is the general term for a group of more than 100 diseases. Cancers start because abnormal cells grow out of control. Untreated cancers can cause serious illness and death. Cancer affects one in three people in the United States.<sup>1</sup>

About 2,001,140 new cancer cases are expected to be diagnosed in the United States in 2024, with approximately 160,680 of those occurring in Florida.<sup>2</sup> In 2024, around 611,720 Americans are expected to die of cancer, with approximately 48,110 of those occurring in Florida.<sup>3</sup> Cancer is the second most common cause of death in the United States, exceeded only by heart disease.<sup>4</sup> Cancer is the second leading cause of death in Florida.<sup>5</sup> Florida has the second-highest number of newly-diagnosed cancer cases in the U.S., despite being the third-largest state in terms of population.<sup>6</sup>

##### **The National Cancer Institute**

The National Cancer Institute (NCI) is the federal government's principal agency for cancer research and training.<sup>7</sup> One function of the NCI is to designate cancer centers by recognizing an institution for the type and breadth of research conducted in addition to the leadership and resources that the cancer center offers. Such designation is nationally recognized as a marker of high-quality cancer care and research. The NCI designates institutions as:<sup>8</sup>

- Comprehensive Cancer Centers – focused on substantial transdisciplinary research that bridges all cancer-related research areas;
- Cancer Centers – focused on one research area such as clinical, prevention, cancer control or population science research; or
- Basic Laboratory Cancer Centers - focused on laboratory research and work collaboratively with other Institutions.

Currently there are two NCI-designed comprehensive cancer centers in Florida: Mayo Clinic Cancer Center Jacksonville, Florida, (in addition to facilities in Arizona and Minnesota); and, H. Lee Moffitt

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<sup>1</sup> American Cancer Society, *What is Cancer*, available at <https://www.cancer.org/cancer/understanding-cancer/what-is-cancer.html> (last visited February 19, 2024).

<sup>2</sup> American Cancer Society, *Cancer Facts and Figures 2024*, available at <https://www.cancer.org/content/dam/cancer-org/research/cancer-facts-and-statistics/annual-cancer-facts-and-figures/2024/2024-cancer-facts-and-figures-acf.pdf> (last visited February 19, 2024).

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> Florida Department of Health, *Cancer*, available at <https://www.floridahealth.gov/diseases-and-conditions/cancer/index.html#:~:text=Since%202014%2C%20cancer%20has%20been,one%20disease%20but%20many%20diseases.> (last visited February 19, 2024).

<sup>6</sup> Florida Department of Health, *The Florida Breast Cancer Early Detection and Treatment Referral Program Report*, available at <https://www.floridahealth.gov/diseases-and-conditions/cancer/breast-cancer/documents/2020FloridaBreastCancerEarlyDetectionandTreatmentReferralProgram.pdf> (last visited February 19, 2024).

<sup>7</sup> National Cancer Institute, *National Cancer Institute Overview and Mission*, available at <https://www.cancer.gov/about-nci/overview> (last visited February 19, 2024).

<sup>8</sup> National Cancer Institute, *NCI-Designated Cancer Centers*, available at <https://www.cancer.gov/research/infrastructure/cancer-centers> (last visited February 19, 2024).

Cancer Center. The University of Miami Sylvester Comprehensive Cancer Center and the University of Florida Health Cancer center are NCI- designated cancer centers.<sup>9</sup>

### The Casey DeSantis Cancer Research Program

In 2014, the Legislature created the Florida Consortium of National Cancer Institute Centers Program, renamed the Casey DeSantis Cancer Research Program (DeSantis program) in 2022.<sup>10</sup> Established to: enhance the quality and competitiveness of cancer care in Florida; further a statewide biomedical research strategy directly responsive to the health needs of Florida's citizens; and, capitalize on potential educational opportunities available to students, the program funds Florida-based,<sup>11</sup> NCI-designated cancer centers according to a statutory formula.<sup>12</sup>

A participating cancer center's annual allocation is determined by multiplying the funds appropriated for the DeSantis program in the General Appropriations Act by an allocation fraction calculation determined by the Department of Health (DOH).<sup>13</sup> DOH must calculate a participating cancer center's allocation fraction on or before September 15 each year using a specific statutory formula.<sup>14</sup> The program sets a floor of funding at \$16 million in cases where a participating cancer center's allocation equals less. The difference is made up using funds proportionally redistributed from other participating cancer centers' allocations.<sup>15</sup>

A participating cancer center's allocation fraction calculation is determined by DOH using a tier-weighted formula that factors in a cancer center's reportable cancer cases; peer-review costs; and biomedical education and training.<sup>16</sup> The tier designations that weight DOH's annual allocation calculation are based on the participating cancer center's NCI-designation status. The program's three tier designations are:<sup>17</sup>

- Tier 1: Florida-based NCI-designated comprehensive cancer centers;
- Tier 2: Florida-based NCI-designated cancer centers; and
- Tier 3: Florida-based cancer centers seeking NCI-designation as well as meeting additional criteria related to their research and biomedical education.

Currently, three cancer centers participate in the program:

- H. Lee Moffitt Cancer Center, which is an NCI-designated comprehensive cancer center;
- Sylvester Comprehensive Cancer Center at the University of Miami, which is an NCI-designated cancer center; and
- The University of Florida Health Cancer Center, which is an NCI- designated cancer center.

Participating cancer centers are required to work with DOH to prepare and submit a report to the Cancer Control and Research Advisory Council which includes specific metrics relating to cancer mortality and external funding for cancer-related research in the state.<sup>18</sup> If a participating cancer center does not endorse this report or produce an equivalent independent report, the cancer center

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<sup>9</sup> National Cancer Institute, *NCI-Designated Cancer Centers*, "Find a Cancer Centers" directory, available at <https://www.cancer.gov/research/infrastructure/cancer-centers/find> (last visited February 19, 2024).

<sup>10</sup> S. 381.915, F.S.

<sup>11</sup> "Florida-based" means that a cancer center's actual or sought designated status is or would be recognized by the NCI as primarily located in Florida and not in another state. S. 381.915(3)(c), F.S.

<sup>12</sup> S. 381.915(6), F.S. Distributions pursuant to the DeSantis program are subject to annual appropriation by the Legislature.

<sup>13</sup> *Id.*

<sup>14</sup> S. 381.915(3), F.S.

<sup>15</sup> *Supra*, note 12.

<sup>16</sup> S. 381.915(5), F.S.

<sup>17</sup> S. 381.915(4), F.S.

<sup>18</sup> S. 381.915(8), F.S.

shall be suspended from the DeSantis program for one year.<sup>19</sup> Among other elements, the report must include an analysis of specific trending age-adjusted cancer mortality rates in the state for: lung cancer; pancreatic cancer; sarcoma; melanoma; leukemia and myelodysplastic syndromes; brain cancer; and, breast cancer.<sup>20</sup>

## **Biomedical Research in Florida**

The Biomedical Research Trust Fund consists of funds appropriated by the Legislature for the James and Esther King Biomedical Research Program, the Casey DeSantis Cancer Research Program, and the William G. “Bill” Bankhead, Jr., and David Coley Cancer Research Program (Bankhead-Coley program) as specified in ss. 215.5602, 381.915, and 381.922, F.S., respectively. Currently, \$37.3 million is annually appropriated from the Biomedical Research Trust Fund for these programs.

The James and Esther King program within DOH provides an annual and perpetual source of funding in order to support research initiatives that address the health care problems in Floridians in the areas of tobacco-related cancer, cardiovascular disease, stroke, and pulmonary disease.<sup>21</sup>

The Bankhead-Coley program within DOH advances progress towards cures for cancer through grants awarded through a peer-reviewed, competitive process. Emphasis is given to efforts that significantly expand cancer research capacity in the state.<sup>22</sup>

## Florida Cancer Innovation Fund

Established by the Legislature in 2023, the Florida Cancer Innovation Fund funds cancer research and innovation.<sup>23</sup> The Cancer Innovation Fund’s mission is to encourage collaboration between oncologists, researchers, and cancer facilities. The fund is administered by DOH. In Fiscal year 2023-2024, the Legislature appropriated \$20 million for the fund.<sup>24</sup> The current House budget for Fiscal year 2024-2025 appropriates \$60 million to the fund.<sup>25</sup>

The Executive Office of the Governor established the Florida Cancer Connect Collaborative as a “team of medical professionals to analyze and rethink Florida’s approach to combatting cancer”.<sup>26</sup> The collaborative meets to discuss the availability of cancer treatment data, processes for sharing treatment best practices, innovative cancer technologies, and funding recommendations.<sup>27</sup>

## **Effect of the Bill**

PCB HHS 24-03 revises the purpose of the DeSantis program to include promoting the provision of high-quality, innovative health care for persons undergoing cancer treatment in Florida.

## **Cancer Connect Collaborative Council**

The bill creates the Cancer Connect Collaborative council (collaborative) to advise DOH and the legislature on developing a holistic approach to the state’s efforts to fund cancer research, cancer

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<sup>19</sup> *Id.*

<sup>20</sup> S. 381.915(8)(a), F.S.

<sup>21</sup> S. 215.5602(1), F.S.

<sup>22</sup> S. 381.922(2), F.S.

<sup>23</sup> Florida Department of Health, *Florida Cancer Innovation Fund*, available at <https://www.floridahealth.gov/provider-and-partner-resources/research/florida-cancer-innovation-fund/index.html> (last visited February 19, 2024).

<sup>24</sup> Conference Report on SB 2500, General Appropriations Act for Fiscal Year 2023-2024, Item 465.

<sup>25</sup> HB 5001, House Fiscal Year 2024-2025 General Appropriations Act, Item 457B.

<sup>26</sup> Florida Cancer Connect, *Cancer Connect Collaborative*, available at <https://flcancerconnect.com/collaborative/> (last visited February 21, 2024).

<sup>27</sup> *Id.*

facilities, and treatments for cancer patients. The collaborative is authorized to make recommendations on proposed legislation, rules, best practices, data collection and reporting, issuance of grant funds, and other proposals for state policy relating to cancer research or treatment.

The bill also establishes meeting and membership requirements for the collaborative. The collaborative must meet as necessary, but at least quarterly, at the call of the chair. The members include the Surgeon General, serving as a nonvoting member, and the chair and the following voting members:

- Two members appointed by the Governor, one member appointed by the President of the Senate, and one member appointed by the Speaker of the House of Representatives. The appointments should prioritize members with experience in:
  - A health care profession specializing in oncology care or research;
  - The development of preventive and therapeutic treatments to control cancer;
  - The development of innovative research into the causes of cancer, effective treatments, or cures for cancer; or
  - Management-level experience with a cancer center licensed under chapter 395.
- One member who is a resident of Florida who can represent the interests of the cancer patients.

The bill requires the collaborative to develop a long-range comprehensive plan for the DeSantis program. The collaborative must request input from cancer centers, research institutions, biomedical education institutions, hospitals, and medical providers to develop the program. The plan must include:

- Expansion of grant fund opportunities to include a broader pool of Florida-based cancer centers, research institutions, biomedical education institutions, hospitals, and medical providers to receive funding through the Cancer Innovation Fund.
- An evaluation to determine metrics that focus on patient outcomes, quality of care, and efficacy of treatment.

### **Cancer Innovation Fund**

HB 7087 also tasks the collaborative with administering the Cancer Innovation Fund. The collaborative will review all submitted grant application and make recommendations to DOH for awarding grants to support innovative cancer research and treatment models. The bill requires the collaborative to prioritize applications seeking to expand the reach of innovative cancer treatment models into underserved areas in the state.

The collaborative must submit the plan to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than December 1, 2024.

The bill also requires DOH, in conjunction with participating cancer centers, to submit an annual report to the Cancer Control and Research Advisory Council and the collaborative on metrics relating to cancer mortality and external funding for cancer-related research in Florida. DOH must also submit the report to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than September 15 of each year.

The bill requires each allocation agreement issued by DOH relating to cancer center payments to include:

- A line-item budget narrative documenting the annual allocation of funds to a cancer center.
- A cap on the annual award of 15 percent for administrative expenses.

- A requirement for the cancer center to submit quarterly reports of all expenditures made by the cancer center with funds received through the Casey DeSantis Cancer Research Program.
- A provision to allow DOH and other state auditing bodies to audit all financial records, supporting documents, statistical records, and any other documents pertinent to the allocation agreement.
- A provision requiring the annual reporting of outcome data and protocols used in achieving those outcomes.

The bill provides an effective date of July 1, 2024.

**B. SECTION DIRECTORY:**

**Section 1:** Amends s. 381.015, F.S., relating to Casey DeSantis Cancer Research Program

**Section 2:** Provides an effective date of July 1, 2024.

**II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

**A. FISCAL IMPACT ON STATE GOVERNMENT:**

1. Revenues:

None.

2. Expenditures:

The cost of the administrative functions of the collaborative, and the additional DOH report, can be absorbed by DOH within existing resources.

**B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

1. Revenues:

None.

2. Expenditures:

None.

**C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:**

None.

**D. FISCAL COMMENTS:**

None.

**III. COMMENTS**

**A. CONSTITUTIONAL ISSUES:**

1. Applicability of Municipality/County Mandates Provision:

Not applicable. The bill does not appear to affect county or municipal governments.

2. Other:

None.

**B. RULE-MAKING AUTHORITY:**

The bill does not appear to create a need for rulemaking or rulemaking authority.

**C. DRAFTING ISSUES OR OTHER COMMENTS:**

None.

**IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES**