

## 2023 Florida Legislative Priorities & Session Outcomes

The American Cancer Society Cancer Action Network (ACS CAN) works to achieve our advocacy goals by using a focused legislative agenda. ACS CAN develops an agenda that defines the annual priority initiatives, appropriations requests, and other issues that support our overall mission to save lives and diminish suffering caused from cancer. The following is a synopsis of the 2023 Legislative Session's cancer-related policy outcomes and appropriations in Florida.

### 2023 TOP LEGISLATIVE PRIORITIES IN FLORIDA

LEGISLATIVE ISSUE & POSITION	LEGISLATIVE OUTCOME	IMPACT
<p><b>ACCESS TO BIOMARKER TESTING</b></p> <p>ACS CAN supports legislation requiring state-regulated insurance plans to cover biomarker testing when supported by medical and scientific evidence.</p>	<p>We introduced our model legislation in both chambers (SB 1218 and HB 805); however, neither bill received a hearing.</p>	<p>While we were not successful in passing the legislation this year, we made significant progress in educating legislators, building and expanding our coalition, engaging the Governor's office, and identifying barriers that must be addressed before the 2024 Legislative Session.</p>
<p><b>BIOMEDICAL RESEARCH GRANT PROGRAMS</b></p> <p>It is vital that Florida supports measures that will increase the state's capacity for research and treatment, especially those measures that generate a substantial investment in innovation.</p>	<p>The Bankhead-Coley program is funded at <b>\$10 million</b> and the King program received <b>\$7.85 million</b>. Additionally, <b>\$3 million</b> is provided for pediatric cancer research through the statutory Live Like Bella Initiative.</p> <p>A new Florida Cancer Innovation Fund is also established and funded at <b>\$20 million</b>.</p>	<p>Funding for Florida's biomedical research programs increased significantly this year with the addition of the Florida Cancer Innovation Fund, which will provide research grants to support innovative cancer research, including emerging research trends and promising practices, which can serve as a catalyst for further exploration. The Cancer Control Research &amp; Advisory Council will review grant applications and make recommendations for awards to the Department of Health.</p>

<p style="text-align: center;"><b>CASEY DESANTIS CANCER RESEARCH PROGRAM</b></p> <p>During the 2022 Legislative Session, the Consortium of National Cancer Institute (NCI) Centers Program was renamed the Casey DeSantis Cancer Research Program, with recurring annual funding of <b>\$100 million</b> (an increase of \$37 million over prior years).</p>	<p>An additional \$28 million is added to the program, bringing the recurring total to \$128 million. Moreover, budget conforming bills and proviso language altered the structure of the program to include the Mayo Clinic as a Tier 1 cancer center (along with Moffitt); Mayo was previously ineligible for the state program due to not being “Florida-based.”</p> <p>Proviso language also requires participating cancer centers to submit data on new cancer diagnoses, recurrences, and patient outcomes by cancer type to the Florida Cancer Data System on a quarterly basis.</p> <p>Finally, proviso language directs \$500,000 to the Department of Health to develop a long range plan for the program, including the following components:</p> <ul style="list-style-type: none"> <li>• Expanding program eligibility to include additional Florida institutions.</li> <li>• Develop an academic collaborative integrating research centers and medical schools into the program to expand reach into underserved areas of the state.</li> <li>• Replacing the current tier system with a new funding methodology.</li> </ul>	<p>Recurring funding for the state’s NCI/cancer research program has nearly doubled in the past two years (from ~\$67 million in FY 21-22 to \$128 million in FY 23-24), due largely to prioritization by the Governor and First Lady. The 2023 Legislative Session brought additional programmatic changes by expanding the existing number of funded cancer centers.</p> <p>The Department of Health must submit its long range plan to legislative leadership by January 1, 2024. While a formal plan for this has not yet been announced, the Department will be seeking input from stakeholders; this is a prime opportunity for ACS and ACS CAN to weigh in and shape the future of the Casey DeSantis Cancer Research Program.</p>
<p style="text-align: center;"><b>BREAST AND CERVICAL CANCER SCREENING</b></p> <p>The Mary Brogan Breast &amp; Cervical Cancer Early Detection Program provides lifesaving cancer screenings for medically underserved women between the ages of 50 and 64 with incomes below 200% of the federal poverty level.</p>	<p>The House and Senate maintained funding for the program at <b>\$1.83 million</b> in recurring revenue.</p>	<p>Maintaining recurring dollars to enhance this screening program for medically underserved women means that Florida is ensuring that funding will be included in next year’s base budget.</p> <p>With current funding levels, the program serves less than 10% of the eligible population.</p>
<p style="text-align: center;"><b>TOBACCO PREVENTION &amp; EDUCATION</b></p> <p>ACS CAN supports the continued, full implementation of Article X, Section 27 of the Florida Constitution. Funding allocated for the Tobacco Prevention and Education Program should be adjusted for inflation based on the Consumer Price Index and should be allocated based on the CDC’s <i>Best Practices for Comprehensive Tobacco Control Programs</i>.</p>	<p>The Legislature approved more than <b>\$83.3 million</b> in funding for the Comprehensive Statewide Tobacco Prevention and Education Program. The dollars distributed within the larger program are generally consistent with the CDC’s <i>Best Practices</i>.</p>	<p>Total program funding will increase by <b>\$6 million</b> over the current year budget.</p> <p>Proviso language in the budget directs Tobacco Free Florida to use program funding in the Health Communications Interventions category for strategies targeting Florida’s youth, including information about the consequences of tobacco, including e-cigarette use.</p>

**OTHER SUBSTANTIVE ISSUES**

<b>LEGISLATIVE ISSUE &amp; POSITION</b>	<b>LEGISLATIVE OUTCOME</b>	<b>IMPACT</b>
<p align="center"><b>FLORIDA KIDCARE PROGRAM ELIGIBILITY</b></p> <p>The Florida Kidcare Program implements the federal Children’s Health Insurance Program (CHIP) in Florida. The current program is available to children in families with incomes up to 200% of the Federal Poverty Level (FPL) .</p>	<p>HB 121 passed unanimously and will expand eligibility for children in families with incomes up to 300% of the FPL. This marks the first time this program has been expanded in 25 years.</p> <p>The state budget allocates a total of \$20.6 million in additional funds to expand the program (\$6 million in state funds and \$14.6 in federal funds). The Agency for Healthcare Administration shall seek a state plan amendment to implement the program changes.</p>	<p>An estimated 16,000 children will become newly eligible for the program in 2024, with the number expected to grow each year. Moreover, this should capture a portion of the families impacted by the ongoing Medicaid disenrollment.</p>
<p align="center"><b>PHARMACY BENEFIT MANAGERS</b></p>	<p>SB 1550, the “Prescription Drug Reform Act,” passed unanimously and was signed into law by Gov. DeSantis on May 3, 2023. The bill will increase state regulation of pharmacy benefit managers (PBMs) under the Office of Insurance Regulation.</p>	<p>SB 1550 requires drug manufacturers to report certain drug price increases to the state, which will be made publicly available on an AHCA-maintained website.</p> <p>SB 1500 also bans gag clauses that restrict or penalize pharmacists for disclosing certain information to patients, including the availability of lower cost options or other alternatives, or for disclosing information to regulatory authorities.</p> <p>SB 1550 will establish new requirements for contracts between PBMs and insurers and pharmacies, including, but not limited to:</p> <ul style="list-style-type: none"> <li>• Including network adequacy requirements that meet or exceed Medicare Part D standards for access to network pharmacies</li> <li>• Networks shall not be limited to PBM-affiliated pharmacies</li> <li>• Requiring a PBM to offer a provider network contract to a pharmacy physically located within certain sites, including Designated Cancer Centers of Excellence</li> <li>• Requiring a PBM to offer a provider network contract to a pharmacy located onsite within an AHCA-designated essential provider solely for the administration or dispensing of covered prescription drugs, including biologics, that are administered through infusions, intravenously injected, inhaled during a</li> </ul>

- surgical procedures, or a covered parenteral drug, as part of onsite outpatient care.
- A PBM shall not require mail-order delivery of a prescription except under limited circumstances.
- Prohibition of financial clawbacks, reconciliation offsets, or offsets to adjudicated claims.

**APPROPRIATIONS**

The \$117 billion budget for FY 2023-24 adopted during the 2023 Legislative Session includes approximately \$300.9 million for the fight against cancer and other related ACS CAN priorities. This constitutes an increase of nearly \$55.1 million in associated funding from the prior budget year.

In total, cancer-related funding from the legislature includes:

<b>Casey DeSantis Research Program</b>	\$128,000,000
<b>Biomedical Research</b>	
Florida Cancer Innovation Fund	\$20,000,000
William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program	\$10,000,000
James and Esther King Biomedical Research Program	\$7,850,000
Pediatric Cancer Research (Live Like Bella Initiative)	\$3,000,000
Statewide Brain Tumor Registry Program - McKnight Brain Institute	\$500,000 (earmarked from the Bankhead Coley program)
<b>Mary Brogan Breast &amp; Cervical Cancer Early Detection Program</b>	\$1,838,235
<b>Comprehensive Statewide Tobacco Prevention and Education</b>	\$83,388,848
<b>American Cancer Society – Access to Care Support/Miami-Dade, Broward, Palm Beach Counties (transportation &amp; lodging assistance)</b>	\$404,096
<b>Live Like Bella Childhood Cancer Foundation</b>	\$1,000,000
<b>Minority Health Initiatives</b>	\$21,744,444
<b>La Liga - League Against Cancer</b>	\$1,150,000
<b>Sylvester Comprehensive Cancer Center - Firefighters Cancer Research</b>	\$2,000,000
<b>Moffitt Cancer Center and Research Institute – Education</b>	\$20,576,930
<b>TOTAL CANCER-RELATED ISSUES AND ACS CAN PRIORITIES</b>	<b>\$300,952,553</b>
<b>TOTAL CANCER-RELATED FUNDING</b>	<b>\$279,208,109</b>

*Please note – The Governor has not yet signed the FY 2023-24 Budget. All items above are subject to veto.*