

HOUSE BILL No. 2988

By Committee on Appropriations

2-24

9 AN ACT enacting the Kansas cancer act; creating the Kansas compre-
10 hensive cancer center and prescribing powers, duties and functions
11 therefor; establishing an executive advisory board, the Kansas umbilical
12 cord blood bank and the midwest cancer alliance; providing for annual
13 reports; prohibiting certain expenditures.
14

15 *Be it enacted by the Legislature of the State of Kansas:*

16 Section 1. The provisions of section 1 through 8, and amendments
17 thereto, shall be known and may be cited as the Kansas cancer act.

18 Sec. 2. (a) There is hereby created the Kansas comprehensive cancer
19 center which shall be the lead agency for the public health initiative of
20 Kansas dedicated to the mission of ending suffering and death from
21 cancer.

22 (b) The Kansas comprehensive cancer center shall:

23 (1) plan and develop an expanded, intensified and coordinated cancer
24 research program for the benefit of all Kansas;

25 (2) collaborate with and coordinate, through the Kansas bioscience
26 authority, the cancer research efforts of all universities and community
27 colleges under the state board of regents to assure that capital for viable
28 research is provided and that the high standards of the Kansas bioscience
29 authority are applied;

30 (3) establish and provide for the operation of the Kansas umbilical
31 cord blood bank as provided in section 5 and amendments thereto;

32 (4) aggressively pursue the development and deployment of effective
33 initiatives to prevent cancer in humans;

34 (5) enhance access to exceptional cancer care for patients throughout
35 Kansas and to clinical trials for patients whose diagnosis merits partici-
36 pation in such trials;

37 (6) aggressively pursue translational and clinical research to allow
38 Kansans to more fully benefit from discoveries in basic cancer research;
39 and

40 (7) enhance the expertise of health care providers in treating and
41 preventing cancer.

42 (c) The Kansas bioscience authority shall be the lead agency in co-
43 ordinating cancer research efforts of the Kansas comprehensive cancer

1 center, all entities participating in such research efforts through the Kan-
2 sas comprehensive cancer center, and all universities and community col-
3 leges under the state board of regents to assure that capital for viable
4 research is provided and that the high standards of the Kansas bioscience
5 authority are applied to the cancer research component of this Kansas
6 public health initiative.

7 Sec. 3. (a) The Kansas comprehensive cancer center shall be com-
8 prised of the university of Kansas cancer center, which has the medical
9 and research elements required by the national cancer institute to qualify
10 for designation as a federal comprehensive cancer center, and other state
11 educational institutions, or allied health research facilities, that are ap-
12 proved for participation in accordance with this section. Participation in
13 the Kansas comprehensive cancer center shall be open to other state
14 educational institutions under the control and supervision of the state
15 board of regents, and any allied health research facilities, that have cancer
16 research expertise and are approved for such participation by the state
17 board of regents.

18 (b) Nothing in this act shall preclude the re-designation of the uni-
19 versity of Kansas cancer center in honor of, or as a memorial to, a private
20 sector donor, or the donor's designee, when the contribution in support
21 of the university of Kansas cancer center is determined by the state board
22 of regents to merit such re-designation.

23 (c) The Kansas comprehensive cancer center shall be operated under
24 the authority of the director of the Kansas comprehensive cancer center
25 who shall be appointed by and serve at the pleasure of the executive vice-
26 chancellor of the university of Kansas medical center. The director of the
27 Kansas comprehensive cancer center shall be a preeminent scientist phy-
28 sician and faculty member of the university of Kansas medical center.

29 (d) All moneys and other proceeds received for or through the com-
30 mercialization of treatments or other rights or properties that are discov-
31 ered or developed or are otherwise the result of the discovery, creation
32 or distribution of new therapeutic agents, tools or techniques resulting
33 from the cancer research program or activities of the Kansas comprehen-
34 sive cancer center or the university of Kansas cancer center, shall be used
35 to support the Kansas comprehensive cancer center.

36 Sec. 4. (a) There is hereby established the executive advisory board
37 of the Kansas comprehensive cancer center to support and advance the
38 purposes of the Kansas comprehensive cancer center.

39 (b) The executive advisory board shall be appointed by the governor
40 and shall be composed of the following:

41 (1) One member representing the university of Kansas school of
42 medicine from a list of one or more persons who are nominated by the
43 executive dean of the university of Kansas school of medicine;

- 1 (2) one member representing the Kansas state university Terry C.
2 Johnson center for basic cancer research from a list of one or more per-
3 sons who are nominated by the president of Kansas state university;
- 4 (3) one member representing the center for cancer experimental
5 therapeutics from a list of one or more persons who are nominated by
6 the chair of the department of medicinal chemistry of the university of
7 Kansas;
- 8 (4) one member representing the University of Kansas cancer center
9 from a list of one or more persons who are nominated by the executive
10 vice-chancellor of the university of Kansas medical center;
- 11 (5) one member representing the Kansas City cancer center from a
12 list of one or more persons who are nominated by the president of the
13 Kansas City cancer center;
- 14 (6) one member representing the Wichita community cancer oncol-
15 ogy program from a list of one or more persons who are nominated by
16 the administrator of the Wichita community cancer oncology program;
- 17 (7) one member representing the Kansas bioscience authority from
18 a list of one or more persons who are nominated by the board of directors
19 of the Kansas bioscience authority;
- 20 (8) one member representing the university of Kansas school of phar-
21 macy from a list of one or more persons who are nominated by the dean
22 of the university of Kansas school of pharmacy;
- 23 (9) one member representing the Kansas health policy authority from
24 a list of one or more persons who are nominated by the Kansas health
25 policy authority;
- 26 (10) one member representing the division of health of the depart-
27 ment of health and environment from a list of one or more persons who
28 are nominated by the director of health;
- 29 (11) one member representing the Kansas hospital association from
30 a list of one or more persons who are nominated by the Kansas hospital
31 association; and
- 32 (12) one member representing the general public.
- 33 Sec. 5. (a) The Kansas comprehensive cancer center shall establish
34 and provide for the operation of the Kansas umbilical cord blood bank in
35 compliance with standards set by the federal government. The Kansas
36 comprehensive cancer center shall develop and make available education
37 and training in the procedures and other requirements for collecting and
38 maintaining umbilical cord blood donations to all health care providers
39 and other medical personnel and clinical staff in Kansas.
- 40 (b) The Kansas umbilical cord blood bank shall accept and maintain
41 umbilical cord blood donations at no charge or other cost to any donor.
42 The operations of the Kansas umbilical cord blood bank shall be subject
43 to review and approval by the executive advisory board of the Kansas

1 comprehensive cancer center.

2 Sec. 6. (a) There is hereby established the midwest cancer alliance.
3 The midwest cancer alliance shall exist for the purpose of delivering the
4 benefits of the university of Kansas cancer center to every region of Kan-
5 sas through a network of public and private hospitals, health care provid-
6 ers and research entities that are committed to supporting and advancing
7 the mission of the university of Kansas cancer center. The midwest cancer
8 alliance shall be operated by the director of the Kansas comprehensive
9 cancer center under the direction of the midwest cancer alliance govern-
10 ing board.

11 (b) There is hereby established the midwest cancer alliance governing
12 board which shall adopt policies for the activities and operations of the
13 midwest cancer alliance. The midwest cancer alliance governing board
14 shall be appointed by the governor and shall be composed of the
15 following:

16 (1) One member representing the university of Kansas school of
17 medicine from a list of one or more persons who are nominated by the
18 executive dean of the university of Kansas school of medicine;

19 (2) one member representing the Kansas health policy authority from
20 a list of one or more persons who are nominated by the Kansas health
21 policy authority;

22 (3) one member representing the University of Kansas cancer center
23 from a list of one or more persons who are nominated by the executive
24 vice-chancellor of the university of Kansas medical center;

25 (4) one member representing the Kansas city cancer center from a
26 list of one or more persons who are nominated by the president of the
27 Kansas City cancer center;

28 (5) one member representing the Wichita community cancer oncol-
29 ogy program from a list of one or more persons who are nominated by
30 the administrator of the Wichita community cancer oncology program;

31 (6) one member representing the Kansas hospital association from a
32 list of one or more persons who are nominated by the Kansas hospital
33 association; and

34 (7) one member representing the Kansas medical society from a list
35 of one or more persons who are nominated by the Kansas medical society.

36 (c) Members of the midwest cancer alliance governing board estab-
37 lished by this section shall not receive any compensation or travel ex-
38 penses or subsistence expenses or allowances for attendance at meetings
39 of the midwest cancer alliance governing board and shall not receive any
40 other expense allowances or reimbursements for expenses incurred in
41 performing the statutory or any other duties or services as a member of
42 the midwest cancer alliance governing board.

43 Sec. 7. The director of the Kansas comprehensive cancer center shall

1 prepare and provide annual reports to the governor, the legislature and
2 the Kansas health policy authority regarding the activities and operations
3 of the Kansas comprehensive cancer center and the progress attained in
4 treating, curing and conducting research on cancer.

5 Sec. 8. No moneys appropriated from the state general fund or any
6 special revenue fund in the state treasury shall be expended by the Kansas
7 comprehensive cancer center, university of Kansas cancer center, the ex-
8 ecutive advisory board established by section 4, and amendments thereto,
9 or any state agency, as defined by K.S.A. 75-3701, and amendments
10 thereto, for any lobbying or other activities to request or influence federal
11 or state legislative action or approval for or on behalf of the Kansas com-
12 prehensive cancer center, the university of Kansas cancer center or the
13 midwest cancer alliance.

14 Sec. 9. This act shall take effect and be in force from and after its
15 publication in the statute book.