

Stricken language would be deleted from and underlined language would be added to present law.
Act 181 of the Regular Session

State of Arkansas
92nd General Assembly
Regular Session, 2019

As Engrossed: S2/4/19
A Bill

SENATE BILL 151

By: Senators Irvin, Bledsoe, B. Davis, J. English

By: Representatives M. Gray, Barker, Bentley, Brown, Capp, Cavanaugh, Crawford, Dalby, C. Fite,
Lundstrum, J. Mayberry, Petty, Rushing, Speaks, Vaught, Gazaway

For An Act To Be Entitled

AN ACT CONCERNING THE PURSUIT OF A NATIONAL CANCER
INSTITUTE-DESIGNATED CANCER CENTER AT THE WINTHROP P.
ROCKEFELLER CANCER INSTITUTE AT THE UNIVERSITY OF
ARKANSAS FOR MEDICAL SCIENCES; TO CREATE THE
UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES NATIONAL
CANCER INSTITUTE DESIGNATION *TRUST FUND*; AND FOR
OTHER PURPOSES.

Subtitle

CONCERNING THE PURSUIT OF A NATIONAL
CANCER INSTITUTE-DESIGNATED CANCER CENTER
AT THE WINTHROP P. ROCKEFELLER CANCER
INSTITUTE AT THE UNIVERSITY OF ARKANSAS
FOR MEDICAL SCIENCES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. DO NOT CODIFY. Legislative findings.

The General Assembly finds that:

(1) In 2018, approximately sixteen thousand (16,000) Arkansans were diagnosed with cancer in 2018, which means that forty-four (44) Arkansans were diagnosed with cancer per day;

(2) Of those sixteen thousand (16,000) Arkansans diagnosed with cancer, six thousand nine hundred ten (6,910) will die of the disease;

(3) The four (4) types of cancer with significantly high annual



diagnosis rates in Arkansas are:

(A) Lung and bronchus cancer, with two thousand seven hundred twenty (2,720) diagnoses;

(B) Breast cancer, with two thousand one hundred sixty (2,160) diagnoses;

(C) Prostate cancer, with one thousand two hundred sixty (1,260) diagnoses; and

(D) Colon and rectal cancer, with one thousand three hundred seventy diagnoses (1,370);

(4) Over the past twenty-eight (28) years, nationwide cancer-related deaths have decreased by five percent (5%), but in Arkansas the rate of cancer-related deaths has increased by nine percent (9%);

(5) Only Kentucky, Mississippi, and Oklahoma had higher cancer-related death rates in the past twenty-eight (28) years than Arkansas;

(6) Cancer is the second-leading cause of death in Arkansas and may become the leading cause of death within the next decade, surpassing the current leading cause, cardiovascular disease, based on the diagnosis trends in the state;

(7) There are currently seventy (70) National Cancer Institute-Designated Cancer Centers, located in thirty-six (36) states and the District of Columbia, including National Cancer Institute-Designated Cancer Centers in Texas, Missouri, Oklahoma, and Tennessee;

(8) There are no National Cancer Institute-Designated Cancer Centers in Arkansas, Mississippi, or Louisiana;

(9) In 2018, the State of Oklahoma received the seventieth National Cancer Institute-Designated Cancer Center;

(10) Having a National Cancer Institute-Designated Cancer Center in Arkansas will improve and expand access to clinical trials, cancer treatment, cancer prevention, cancer screening, and education in Arkansas;

(11) A National Cancer Institute-Designated Cancer Center in Arkansas would act as a hub of groundbreaking treatments and care for the communities around the state;

(12) Arkansas cancer patients often times are required to leave the state to receive treatment at a National Cancer Institute-Designated Cancer Center;

(13) National Cancer Institute-Designated Cancer Centers have

expanded treatment options due to research grant funds and experimental trials, and hundreds of research studies are underway at these centers, ranging from basic laboratory research to clinical assessments of new treatments not currently available in Arkansas;

(14) Having a National Cancer Institute-Designated Cancer Center in the state would save the lives of thousands of Arkansans through expanded treatment opportunities, including opportunities to participate in experimental cancer treatments;

(15) Being a National Cancer Institute-Designated Cancer Center would allow the Winthrop P. Rockefeller Cancer Institute at the University of Arkansas for Medical Sciences to be awarded more research funds, which will provide additional experimental cancer treatments in the state;

(16) A National Cancer Institute-Designated Cancer Center will provide support for cancer treatment providers, clinics, and hospitals in Arkansas;

(17) In addition to the human suffering caused by cancer, there are economic costs that result from the disease, including medical costs and the impact on the productivity of the cancer patient and his or her family;

(18) The Winthrop P. Rockefeller Cancer Institute at the University of Arkansas for Medical Sciences is pursuing designation as a National Cancer Institute-Designated Cancer Center for the benefit of the more than three million (3,000,000) citizens of Arkansas;

(19) The National Cancer Institute recommends that a cancer center have at least twenty million dollars (\$20,000,000) in National Cancer Institute-funded research;

(20) The Winthrop P. Rockefeller Cancer Institute at the University of Arkansas for Medical Sciences currently has approximately ten million dollars (\$10,000,000) in National Cancer Institute-funded research;

(21) The Winthrop P. Rockefeller Cancer Institute at the University of Arkansas for Medical Sciences can apply for only a limited number of National Cancer Institute grant funds because over sixty percent (60%) of the National Cancer Institute's grant applications require that the cancer center be a National Cancer Institute-Designated Cancer Center in order to apply for the grant funds;

(22) In order to achieve status as a National Cancer Institute-Designated Cancer Center, the Winthrop P. Rockefeller Cancer Institute at the

University of Arkansas for Medical Sciences will need to recruit:

(A) A renowned expert in cancer research to serve as the Director of the Winthrop P. Rockefeller Cancer Institute at the University of Arkansas for Medical Sciences; and

(B) Nationally recognized National Cancer Institute-funded medical professionals;

(23) To be successful in gaining status as a National Cancer Institute-Designated Cancer Center, ongoing, dedicated financial support from the State of Arkansas is critical;

(24) The Winthrop P. Rockefeller Cancer Institute at the University of Arkansas for Medical Sciences will need a stream of funding between ten million dollars (\$10,000,000) and twenty million dollars (\$20,000,000) per year to establish and maintain a National Cancer Institute-Designated Cancer Center;

(25) Like other states that have been successful in securing status as a National Cancer Institute-Designated Cancer Center for their cancer centers, it is incumbent that the State of Arkansas invest in this initiative;

(26) It is a strategic goal of the Winthrop P. Rockefeller Cancer Institute at the University of Arkansas for Medical Sciences to become a National Cancer Institute-Designated Cancer Center;

(27) State government funds will assist the Winthrop P. Rockefeller Cancer Institute at the University of Arkansas for Medical Sciences secure vital investments from other public and private sources;

(28) The Winthrop P. Rockefeller Cancer Institute at the University of Arkansas for Medical Sciences is committed to raising at least thirty million dollars (\$30,000,000) in private funds to support the pursuit of achieving status as a National Cancer Institute-Designated Cancer Center;

(29) The private resources pursued by the Winthrop P. Rockefeller Cancer Institute at the University of Arkansas for Medical Sciences are a part of a cohesive and focused plan that will forever change the state;

(30) It is estimated that having a National Cancer Institute-Designated Cancer Center will bring in an additional seventy million dollars (\$70,000,000) annually to Arkansas's economy and will create one thousand five hundred eighty-four (1,584) new jobs over five (5) years;

(31) The state should establish a fund solely for the purpose of pursuing and maintaining status as a National Cancer Institute-Designated Cancer Center for the Winthrop P. Rockefeller Cancer Institute at the University of Arkansas for Medical Sciences;

(32) If upon June 30, 2027, the Winthrop P. Rockefeller Cancer Institute at the University of Arkansas for Medical Sciences has not achieved status as a National Cancer Institute-Designated Cancer Center, then the fund created in this act should sunset; and

(33) Future General Assemblies will have the authority and responsibility to evaluate the progress of the Winthrop P. Rockefeller Cancer Institute at the University of Arkansas for Medical Sciences toward achieving status as a National Cancer Institute-Designated Cancer Center and adjust this act accordingly.

SECTION 2. Arkansas Code Title 19, Chapter 5, *Subchapter 11*, is amended to add an additional section to read as follows:

19-5-1149. University of Arkansas for Medical Sciences National Cancer Institute Designation Trust Fund – Report.

(a) There is created on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State a trust fund to be known as the “University of Arkansas for Medical Sciences National Cancer Institute Designation Trust Fund”.

(b) The fund shall consist of:

(1) Moneys obtained from private grants or other sources that are designated to be credited to the fund; and

(2) Any other funds authorized or provided by law.

(c) The fund shall be used by the Winthrop P. Rockefeller Cancer Institute at the University of Arkansas for Medical Sciences solely to achieve and maintain status as a National Cancer Institute-Designated Cancer Center.

(d) The Treasurer of State shall invest the moneys available in the fund.

(e)(1) The investment of funds under this section is exempt from § 19-3-518(a)(2)(B)(i)(b) and (c).

(2) Moneys in the fund may be invested in any instrument:

(A) Listed in § 19-3-518(b)(1)(B); and

(B) Approved by the guidelines established by the State Treasury investment policy approved by the State Board of Finance.

(f) Moneys remaining in the fund at the end of each fiscal year shall carry forward and be made available for the purposes stated in this section in the next fiscal year.

(g)(1) The Winthrop P. Rockefeller Cancer Institute at the University of Arkansas for Medical Sciences shall submit a semiannual report containing the following information to the Governor; the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee; the Senate Committee on Public Health, Welfare and Labor; and the House Committee on Public Health, Welfare, and Labor:

(A) The balance of the fund as of the reporting date;

(B) A list of the administrative costs paid for from the fund, including without limitation salaries, pensions, and packages;

(C) The total revenue received by the fund during the reporting period; and

(D) A detailed description of the steps taken and the progress made toward achieving status as a National Cancer Institute-Designated Cancer Center during the reporting period.

(2) The semiannual report required under this subsection shall be submitted by January 1 and July 1 of each year.

/s/Irvin

APPROVED: 2/19/19