

CHAPTER 126**(HB 415)**

AN ACT relating to colon cancer screening.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔SECTION 1. A NEW SECTION OF KRS CHAPTER 214 IS CREATED TO READ AS FOLLOWS:

(1) *As used in Sections 1 to 3 of this Act:*

(a) *"Department" means the Department for Public Health in the Cabinet for Health and Family Services; and*

(b) *"Program" means the Colon Cancer Screening Program.*

(2) *The Colon Cancer Screening Program is hereby established for the purposes of:*

(a) *Increasing colon cancer screening;*

(b) *Reducing morbidity and mortality from colon cancer; and*

(c) *Reducing the cost of treating colon cancer among citizens of the Commonwealth.*

(3) *The provisions of Sections 1 to 3 of this Act shall be limited to the amount of appropriations to the department for the Colon Cancer Screening Program.*

➔SECTION 2. A NEW SECTION OF KRS CHAPTER 214 IS CREATED TO READ AS FOLLOWS:

(1) *The program shall provide colon cancer screening for uninsured individuals who are age fifty (50) to sixty-four (64) and other uninsured individuals determined to be at high risk for developing colon cancer.*

(2) *Services provided under the program may be undertaken by private contract for services or operated by the department. The program may also provide referral services for the benefit of individuals for whom further examination or treatment is indicated by the colon cancer screening.*

(3) *The department may accept any grant or award of funds from federal or private sources for carrying out the provisions of this section.*

(4) *The department shall establish a data collection system to document the number of individuals screened, the demographic characteristics of the individuals screened, and the types of colon cancer screening tests performed under the program.*

(5) *The department shall promulgate administrative regulations to implement the provisions of this section.*

➔SECTION 3. A NEW SECTION OF KRS CHAPTER 214 IS CREATED TO READ AS FOLLOWS:

(1) *A Colon Cancer Screening Advisory Committee shall be established within the Kentucky Cancer Consortium. The advisory committee shall include:*

(a) *One (1) appointee appointed by the Speaker of the House;*

(b) *One (1) appointee appointed by the President of the Senate;*

(c) *The deputy commissioner of the Department for Public Health;*

(d) *Two (2) at-large members appointed by the Governor;*

(e) *The director of health initiatives for the mid-south division of the American Cancer Society;*

(f) *The director of the Kentucky Cancer Program at the University of Kentucky;*

(g) *The director of the Kentucky Cancer Program at the University of Louisville;*

(h) *The director of the Kentucky Cancer Registry;*

(i) *The director of the Colon Cancer Prevention Project;*

(j) *The chair of Kentucky African Americans Against Cancer; and*

(k) *The director of the Kentucky Cancer Consortium.*

Members of the advisory committee shall be appointed for a term of four (4) years.

- (2) (a) *Members appointed under paragraphs (a) to (d) of subsection (1) shall be appointed as follows:*
 1. *Members shall be appointed for a term of four (4) years, except as provided in subsection (2)(a)2.;*
 2. *The initial appointments shall be for a period of two (2) years, thereafter the appointments shall be for a term of four (4) years; and*
 3. *Members shall not serve more than two (2) terms of four (4) years.*
- (b) *Members serving under paragraphs (e) to (k) of subsection (1) shall serve by virtue of their positions and shall not be subject to term limits.*
- (3) *The chair of the advisory committee shall be elected from the membership of the advisory committee to serve for a two (2) year term. A member of the advisory committee may designate an alternate to attend meetings in his or her place.*
- (4) *The advisory committee may add members from other organizations as deemed appropriate.*
- (5) *The advisory committee shall provide recommendations for the overall implementation and conduct of the Colon Cancer Screening Program.*
- (6) *The advisory committee shall establish and provide oversight for a colon cancer screening public awareness campaign. The Cabinet for Health and Family Services shall contract with the Kentucky Cancer Consortium at the University of Kentucky to provide the required support. The amount of the contract shall not be included in the base budget of the university as used by the Council on Postsecondary Education in determining the funding formula for the university.*
- (7) *The Colon Cancer Screening Advisory Committee shall provide an annual report on implementation and outcomes from the Colon Cancer Screening Program and recommendations to the Legislative Research Commission, the Interim Joint Committee on Health and Welfare, the Interim Joint Committee on Appropriations and Revenue, the Governor, the secretary of the Cabinet for Health and Family Services, and the commissioner of the Department for Public Health.*
- (8) *The Kentucky Cancer Program, jointly administered by the University of Kentucky and the University of Louisville, shall establish a colon cancer screening education and outreach program in each of the state area development districts. The colon cancer screening education and outreach program shall focus on individuals who lack access to colon cancer screening. The Cabinet for Health and Family Services shall contract with the University of Louisville and the University of Kentucky to provide the required support. The amount of the contract shall not be included in the base budgets of the universities as used by the Council on Postsecondary Education in determining the funding formula for the universities.*

Signed by Governor April 15, 2008.