

**CHAPTER 130****( SB 16 )**

AN ACT relating to colon cancer screening and prevention and making an appropriation therefor.

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

➔Section 1. KRS 214.540 is amended to read as follows:

- (1) As used in KRS 214.540 to 214.544:
  - (a) "Department" means the Department for Public Health in the Cabinet for Health and Family Services; and
  - (b) "Program" means the Colon Cancer Screening *and Prevention* Program.
- (2) The Colon Cancer Screening *and Prevention* 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 KRS 214.540 to 214.544 shall be limited to the amount of appropriations to the department for the Colon Cancer Screening *and Prevention* Program.

➔Section 2. KRS 214.543 is amended to read as follows:

- (1) (a) There is hereby created a restricted fund to be known as the Kentucky Colon Cancer Screening *and Prevention* Program fund.
  - (b) The fund shall be administered by the Finance and Administration Cabinet.
  - (c) The fund shall include moneys:
    1. Appropriated by the General Assembly for the purpose of the Colon Cancer Screening *and Prevention* Program; ~~and moneys~~
    2. Collected under KRS 214.542; *and*
    3. *Distributed by the Transportation Cabinet from sales of special colon cancer prevention license plates.*
- (2) Moneys in the fund shall be used by the department to administer KRS 214.540 to 214.544.
- (3) Notwithstanding KRS 45.229, any moneys remaining in the fund at the close of the fiscal year shall not lapse but shall be carried forward into the succeeding fiscal year to be used *solely for the purposes established in* ~~accordance with~~ subsection (2) of this section.
- (4) Interest earned on any moneys in the fund shall accrue to the fund.
- (5) Moneys in the fund are hereby appropriated *solely* for the purposes set forth in KRS 214.540 to 214.544.

➔Section 3. KRS 214.544 is amended to read as follows:

- (1) A Colon Cancer Screening *and Prevention* Advisory Committee shall be established ~~within the Kentucky Cancer Consortium~~. The advisory committee shall include:
  - (a) One (1) *member of the House of Representatives who shall be* ~~appointed~~ appointed by the Speaker of the House;
  - (b) One (1) *member of the Senate who shall be* ~~appointed~~ appointed by the President of the Senate;
  - (c) The deputy commissioner of the Department for Public Health;
  - (d) *The commissioner of the Department of Insurance, or his or her designee;*
  - (e) *The commissioner of the Department for Medicaid Services, or his or her designee;*

- (f) Two (2) at-large members *who shall be* appointed by the Governor;
- (g)~~(e)~~ *One (1) member who shall be appointed by the Governor from a list of three (3) names provided by*~~The director of health initiatives for the mid south division of~~ the American Cancer Society;
- (h)~~(f)~~ The director of the Kentucky Cancer Program at the University of Kentucky;
- (i)~~(g)~~ The director of the Kentucky Cancer Program at the University of Louisville;
- (j)~~(h)~~ The director of the Kentucky Cancer Registry;
- (k)~~(i)~~ The director of the Colon Cancer Prevention Project;
- (l)~~(j)~~ The chair of Kentucky African Americans Against Cancer; and
- (m)~~(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 subsection (1)(a) to (g)~~(e)~~ of this section shall be appointed as follows:
1. Members shall be appointed for a term of four (4) years, except as provided in subparagraph 2. of this paragraph;
  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 subsection (1)~~(h)~~~~(e)~~ to (m)~~(k)~~ of this section 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 *and Prevention* 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 *and Prevention* Advisory Committee shall provide an annual report on implementation and outcomes from the Colon Cancer Screening *and Prevention* Program and recommendations to the Legislative Research Commission, the Interim Joint Committee on Health, *Welfare, and Family Services* ~~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.

➔SECTION 4. A NEW SECTION OF KRS CHAPTER 205 IS CREATED TO READ AS FOLLOWS:

*The Department for Medicaid Services shall present statistics on cancer services related to colorectal cancer among Medicaid recipients to the Colon Cancer Screening and Prevention Advisory Committee annually and upon request.*

Signed by Governor March 25, 2021.

