

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

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

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

5 (1) As used in KRS 214.540 to 214.544:

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

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

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

11 (a) Increasing colon cancer screening;

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

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

15 (3) The provisions of KRS 214.540 to 214.544 shall be limited to the amount of  
16 appropriations to the department for the Colon Cancer Screening ***and Prevention***  
17 Program.

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

19 (1) (a) There is hereby created a restricted fund to be known as the Kentucky Colon  
20 Cancer Screening ***and Prevention*** Program fund.

21 (b) The fund shall be administered by the Finance and Administration Cabinet.

22 (c) The fund shall include moneys:

23 **1.** Appropriated by the General Assembly for the purpose of the Colon  
24 Cancer Screening ***and Prevention*** Program; ~~and moneys~~

25 **2.** Collected under KRS 214.542; ***and***

26 **3.** ***Distributed by the Transportation Cabinet from sales of special cancer***  
27 ***prevention license plates.***

1 (2) Moneys in the fund shall be used by the department to administer KRS 214.540 to  
2 214.544.

3 (3) Notwithstanding KRS 45.229, any moneys remaining in the fund at the close of the  
4 fiscal year shall not lapse but shall be carried forward into the succeeding fiscal year  
5 to be used **solely for the purposes established** in ~~[accordance with]~~ subsection (2)  
6 of this section.

7 (4) Interest earned on any moneys in the fund shall accrue to the fund.

8 (5) Moneys in the fund are hereby appropriated **solely** for the purposes set forth in KRS  
9 214.540 to 214.544.

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

11 (1) A Colon Cancer Screening **and Prevention** Advisory Committee shall be  
12 established~~[within the Kentucky Cancer Consortium]~~. The advisory committee  
13 shall include:

14 (a) One (1) **member of the House of Representatives who shall be**~~[appointee]~~  
15 appointed by the Speaker of the House;

16 (b) One (1) **member of the Senate who shall be**~~[appointee]~~ appointed by the  
17 President of the Senate;

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

19 (d) **The commissioner of the Department of Insurance, or his or her designee;**

20 (e) **The commissioner of the Department for Medicaid Services, or his or her**  
21 **designee;**

22 (f) Two (2) at-large members **who shall be** appointed by the Governor;

23 (g)~~(e)~~ **One (1) member who shall be appointed by the Governor from a list of**  
24 **three (3) names provided by**~~[The director of health initiatives for the mid-~~  
25 ~~south division of]~~ the American Cancer Society;

26 (h)~~(f)~~ The director of the Kentucky Cancer Program at the University of  
27 Kentucky;

1        ~~(i)~~(g)     The director of the Kentucky Cancer Program at the University of  
2                     Louisville;

3        ~~(j)~~(h)     The director of the Kentucky Cancer Registry;

4        ~~(k)~~(i)     The director of the Colon Cancer Prevention Project;

5        ~~(L)~~(j)     The chair of Kentucky African Americans Against Cancer; and

6        ~~(m)~~(k)     The director of the Kentucky Cancer Consortium.

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

8        (2)    (a)    Members appointed under subsection (1)(a) to ~~(g)~~(d) of this section shall be  
9                     appointed as follows:

10            1.    Members shall be appointed for a term of four (4) years, except as  
11                     provided in subparagraph 2. of this paragraph;

12            2.    The initial appointments shall be for a period of two (2) years; thereafter,  
13                     the appointments shall be for a term of four (4) years; and

14            3.    Members shall not serve more than two (2) terms of four (4) years.

15        (b)    Members serving under subsection (1)~~(h)~~(e) to ~~(m)~~(k) of this section shall  
16                     serve by virtue of their positions and shall not be subject to term limits.

17        (3)    The chair of the advisory committee shall be elected from the membership of the  
18                     advisory committee to serve for a two (2) year term. A member of the advisory  
19                     committee may designate an alternate to attend meetings in his or her place.

20        (4)    The advisory committee may add members from other organizations as deemed  
21                     appropriate.

22        (5)    The advisory committee shall provide recommendations for the overall  
23                     implementation and conduct of the Colon Cancer Screening and Prevention  
24                     Program.

25        (6)    The advisory committee shall establish and provide oversight for a colon cancer  
26                     screening public awareness campaign. The Cabinet for Health and Family Services  
27                     shall contract with the Kentucky Cancer Consortium at the University of Kentucky

1 to provide the required support. The amount of the contract shall not be included in  
2 the base budget of the university as used by the Council on Postsecondary  
3 Education in determining the funding formula for the university.

4 (7) The Colon Cancer Screening **and Prevention** Advisory Committee shall provide an  
5 annual report on implementation and outcomes from the Colon Cancer Screening  
6 **and Prevention** Program and recommendations to the Legislative Research  
7 Commission, the Interim Joint Committee on Health, **Welfare, and Family Services**  
8 [~~and Welfare~~], the Interim Joint Committee on Appropriations and Revenue, the  
9 Governor, the secretary of the Cabinet for Health and Family Services, and the  
10 commissioner of the Department for Public Health.

11 (8) The Kentucky Cancer Program, jointly administered by the University of Kentucky  
12 and the University of Louisville, shall establish a colon cancer screening, education,  
13 and outreach program in each of the state area development districts. The colon  
14 cancer screening, education, and outreach program shall focus on individuals who  
15 lack access to colon cancer screening. The Cabinet for Health and Family Services  
16 shall contract with the University of Louisville and the University of Kentucky to  
17 provide the required support. The amount of the contract shall not be included in the  
18 base budgets of the universities as used by the Council on Postsecondary Education  
19 in determining the funding formula for the universities.

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

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