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SENATE BILL NO. 1379
AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the House Committee on Health and Human Services
on _____)
(Patron Prior to Substitute—Senator Aird)

A BILL to amend the Code of Virginia by adding in Chapter 2 of Title 32.1 an article numbered 9.2, consisting of sections numbered 32.1-71.5 and 32.1-71.6, relating to Health; Research and Clinical Trial Cancer Consortium Initiative established; report.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 2 of Title 32.1 an article numbered 9.2, consisting of sections numbered 32.1-71.5 and 32.1-71.6, as follows:

Article 9.2.

Research and Clinical Trial Cancer Consortium Initiative.

§ 32.1-71.5. Research and Clinical Trial Cancer Consortium Initiative; purpose.

A. As used in this article, "Initiative" means the Research and Clinical Trial Cancer Consortium Initiative established pursuant to this article.

B. The Research and Clinical Trial Cancer Consortium Initiative is hereby established as an independent nonprofit entity in the Commonwealth for the purpose of coordinating, maximizing the efficiency of, and facilitating cancer clinical research and treatment efforts across the Commonwealth. The Initiative shall include the Massey Comprehensive Cancer Center at Virginia Commonwealth University, the University of Virginia Medical Center, the Leroy T. Canoles Jr. Cancer Research Center at the Eastern Virginia Health Sciences Center at Old Dominion University, the Fralin Biomedical Research Institute at Virginia Tech Carilion, Hampton University, and Inova Schar Cancer Institute.

§ 32.1-71.6. Membership; powers and duties of the Initiative; report.

A. The Initiative shall have a total membership of nine members that shall consist of six representatives of health or medical institutions with expertise in cancer clinical research and treatment and three nonlegislative citizen members with expertise in philanthropic support of cancer clinical research and treatment. The representatives of health or medical institutions with expertise in cancer clinical research and treatment shall be appointed by the Commissioner as follows: one representative each from (i) the Massey Comprehensive Cancer Center at Virginia Commonwealth University, (ii) the University of Virginia Medical

31 *Center, (iii) the Leroy T. Canoles Jr. Cancer Research Center at the Eastern Virginia Health Sciences Center*
32 *at Old Dominion University, (iv) the Fralin Biomedical Research Institute at Virginia Tech Carilion, (v)*
33 *Hampton University, and (vi) Inova Schar Cancer Institute. The nonlegislative citizen members shall be*
34 *appointed as follows: three members with expertise in cancer clinical research and treatment or*
35 *philanthropic support of cancer clinical research and treatment, one of whom shall be appointed by the*
36 *Senate Committee on Rules, one of whom shall be appointed by the Speaker of the House of Delegates, and*
37 *one of whom shall be appointed by the Governor, subject to confirmation by the General Assembly.*
38 *Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Vacancies*
39 *shall be filled in the same manner as the original appointments. All members may be reappointed. After the*
40 *initial staggering of terms, nonlegislative citizen members shall be appointed for a term of four years. No*
41 *nonlegislative citizen member shall serve more than two consecutive four-year terms. The remainder of any*
42 *term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's*
43 *eligibility for reappointment.*

44 *B. The Initiative shall elect a chairman from among its membership, provided, however, that no*
45 *institutional representative appointed as a member shall be eligible to serve as chairman of the Initiative. A*
46 *majority of the members shall constitute a quorum. Members shall serve without compensation but shall be*
47 *reimbursed for actual expenses incurred in the performance of their duties.*

48 *C. The Initiative shall have the power and duty to:*

49 *1. Develop and provide coordinated financial incentives to the medical and health institutions focused on*
50 *cancer clinical research and treatment in the Commonwealth to (i) collaborate on clinical trials in the areas*
51 *with the most significant demonstrated need; (ii) leverage existing resources; (iii) incentivize the development*
52 *of intellectual property research and associated patents relating to cancer clinical research and treatment*
53 *created within the Commonwealth; (iv) combine clinical enrollment participant populations to increase*
54 *efficiency and maximize the receipt of available federal funding; and (v) develop and implement plans and*
55 *procedures for minimizing duplicative research efforts across institutions in the Initiative;*

56 *2. Take such actions as deemed necessary and appropriate to further the Initiative's purpose of*
57 *coordinating, maximizing the efficiency of, and facilitating cancer clinical research and treatment efforts*
58 *across the Commonwealth, including (i) developing and implementing plans designed to expand outreach*
59 *and improve efforts to attract highly qualified individuals with expertise in cancer clinical research and*

60 *treatment to the Commonwealth and (ii) developing policies and model contracts to streamline and facilitate*
61 *the assignment and sharing of intellectual property research and foster the utilization of information,*
62 *discoveries, data, and material produced or performed by institutions in the Initiative; and*

63 *3. Submit an annual report to the Governor and the General Assembly for publication as a report*
64 *document as provided in the procedures of the Division of Legislative Automated Systems for the processing*
65 *of legislative documents and reports. The chairman of the Initiative shall submit to the Governor and the*
66 *General Assembly an annual executive summary of the activity and work of the Initiative for the immediately*
67 *preceding year no later than the first day of each regular session of the General Assembly. The executive*
68 *summary shall be submitted for publication as a report document as provided in the procedures of the*
69 *Division of Legislative Automated Systems for the processing of legislative documents and reports and shall*
70 *be posted on the General Assembly's website.*

71 **2. That the initial appointments of nonlegislative citizen members shall be staggered as follows: one**
72 **member for a term of three years appointed by the Senate Committee on Rules; one member for a**
73 **term of two years appointed by the Speaker of the House of Delegates; and one member for a term of**
74 **one year appointed by the Governor.**