

1 State of Arkansas  
2 92nd General Assembly  
3 Regular Session, 2019  
4

As Engrossed: S2/4/19

# A Bill

SENATE BILL 151

5 By: Senators Irvin, Bledsoe, B. Davis, J. English  
6 By: Representatives M. Gray, Barker, Bentley, Brown, Capp, Cavanaugh, Crawford, Dalby, C. Fite,  
7 Lundstrum, J. Mayberry, Petty, Rushing, Speaks, Vaught, Gazaway  
8

## For An Act To Be Entitled

10 AN ACT CONCERNING THE PURSUIT OF A NATIONAL CANCER  
11 INSTITUTE-DESIGNATED CANCER CENTER AT THE WINTHROP P.  
12 ROCKEFELLER CANCER INSTITUTE AT THE UNIVERSITY OF  
13 ARKANSAS FOR MEDICAL SCIENCES; TO CREATE THE  
14 UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES NATIONAL  
15 CANCER INSTITUTE DESIGNATION *TRUST FUND*; AND FOR  
16 OTHER PURPOSES.  
17  
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## Subtitle

19 CONCERNING THE PURSUIT OF A NATIONAL  
20 CANCER INSTITUTE-DESIGNATED CANCER CENTER  
21 AT THE WINTHROP P. ROCKEFELLER CANCER  
22 INSTITUTE AT THE UNIVERSITY OF ARKANSAS  
23 FOR MEDICAL SCIENCES.  
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27 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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29 SECTION 1. DO NOT CODIFY. Legislative findings.

30 The General Assembly finds that:

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

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

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



1 diagnosis rates in Arkansas are:

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

4 (B) Breast cancer, with two thousand one hundred sixty  
5 (2,160) diagnoses;

6 (C) Prostate cancer, with one thousand two hundred sixty  
7 (1,260) diagnoses; and

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

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

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

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

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

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

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

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

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

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

36 (13) National Cancer Institute-Designated Cancer Centers have

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

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

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

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

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

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

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

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

29 (21) The Winthrop P. Rockefeller Cancer Institute at the  
30 University of Arkansas for Medical Sciences can apply for only a limited  
31 number of National Cancer Institute grant funds because over sixty percent  
32 (60%) of the National Cancer Institute's grant applications require that the  
33 cancer center be a National Cancer Institute-Designated Cancer Center in  
34 order to apply for the grant funds;

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

1 University of Arkansas for Medical Sciences will need to recruit:

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

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

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

10 (24) The Winthrop P. Rockefeller Cancer Institute at the  
11 University of Arkansas for Medical Sciences will need a stream of funding  
12 between ten million dollars (\$10,000,000) and twenty million dollars  
13 (\$20,000,000) per year to establish and maintain a National Cancer Institute-  
14 Designated Cancer Center;

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

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

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

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

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

33 (30) It is estimated that having a National Cancer Institute-  
34 Designated Cancer Center will bring in an additional seventy million dollars  
35 (\$70,000,000) annually to Arkansas's economy and will create one thousand  
36 five hundred eighty-four (1,584) new jobs over five (5) years;

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

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

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

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

17           19-5-1149. University of Arkansas for Medical Sciences National Cancer  
18 Institute Designation Trust Fund – Report.

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

23           (b) The fund shall consist of:

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

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

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

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

33           (e)(1) The investment of funds under this section is exempt from § 19-  
34 3-518(a)(2)(B)(i)(b) and (c).

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

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

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

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

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

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

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

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

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

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

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24 /s/Irvin  
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