

**164.476 Lung cancer research fund -- Consortium between Universities of Kentucky and Louisville to be known as the Governance Board of the Lung Cancer Research Project -- Annual audit.**

- (1) The "Lung Cancer Research Fund" is created and shall receive funds each year from the Kentucky health care improvement fund in the amount specified in KRS 304.17B-003(5)(b). The lung cancer research fund shall be used to finance the Lung Cancer Research Project described in subsection (5) of this section. No revenues from the lung cancer research fund shall be allocated until the board has adopted the strategic plan described in subsections (5) and (6) of this section.
- (2) A research consortium between the University of Kentucky and the University of Louisville is created and shall be known as the Governance Board of the Lung Cancer Research Project. The consortium shall be attached to the Council on Postsecondary Education for administrative purposes.
- (3) The board shall consist of nine (9) members appointed by the Governor as follows:
  - (a) Two (2) members shall be from the faculty of the School of Medicine at the University of Kentucky;
  - (b) Two (2) members shall be from the faculty of the School of Medicine at the University of Louisville;
  - (c) Two (2) members shall be from the Council on Postsecondary Education; and
  - (d) Three (3) members shall be from the state at large, one (1) of whom shall be appointed chair by the Governor.
- (4) Except as provided in paragraphs (a) to (d) of this subsection, the terms of the members shall be for four (4) years and until their successors are appointed and confirmed. A vacancy on the board shall be filled for the remainder of the unexpired term in the same manner as the original appointment. Members may be reappointed. The initial appointments shall be for staggered terms, as follows:
  - (a) Two (2) members shall be appointed for one (1) year;
  - (b) Two (2) members shall be appointed for two (2) years;
  - (c) Two (2) members shall be appointed for three (3) years; and
  - (d) Three (3) members shall be appointed for four (4) years.
- (5) The Governance Board of the Lung Cancer Research Project shall develop and oversee the implementation of a twenty (20) year strategic plan that utilizes the resources of both the University of Louisville and the University of Kentucky in establishing the Lung Cancer Research Project. The Lung Cancer Research Project shall be a joint program to:
  - (a) Develop an expertise in the area of lung cancer research with an immediate focus on early detection and epidemiology and with an ultimate goal of eradication of lung cancer;
  - (b) Establish a statewide clinical trial network to make university-based clinical trials available to the community physician in order to bring the most innovative cancer treatments to all Kentuckians in need of these treatments;

- (c) Leverage the resources earmarked for the Lung Cancer Research Project toward the certification of the cancer program at the University of Kentucky and the University of Louisville by the National Cancer Institute as a cancer center; and
- (d) Undertake other initiatives consistent with the strategic plan.
- (6) The strategic plan shall identify both short-term and long-term goals and the appropriate oversights to measure progress toward achievement of those goals; it shall be updated every two (2) years.
- (7) The Governance Board of the Lung Cancer Research Project shall submit an annual report to the Governor and the Legislative Research Commission by September 1 each year for the preceding fiscal year, outlining its activities and expenditures.
- (8) The Auditor of Public Accounts, on an annual basis, shall conduct a thorough review of all expenditures from the lung cancer research fund and, if necessary in the opinion of the Auditor, the operations of the Lung Cancer Research Project and the lung cancer research fund.

**Effective:** July 14, 2000

**History:** Created 2000 Ky. Acts ch. 521, sec. 25, effective July 14, 2000; and ch. 546, sec. 5, effective April 26, 2000.

**Legislative Research Commission Note** (7/14/2000). 2000 Ky. Acts ch. 521, sec. 25, and 2000 Ky. Acts ch. 546, sec. 5, are substantively identical and have been codified together. Subsections (2) to (8) of these two sections are identical in the two Acts. The language "the Kentucky health care improvement fund" in the first sentence of subsection (1) of ch. 546, sec. 5, has been allowed to prevail over "the tobacco settlement agreement fund created in KRS 248.654" under KRS 7.136(2) because of the amendment to KRS 248.654 in 2000 Ky. Acts ch. 546, secs. 1 and 4. The phrase "in the amount specified in KRS 304.17B-003(5)(b)" was added by ch. 521, sec. 25, and does not substantively conflict with ch. 546, sec. 5. The remainder of subsection (1) of these two sections is identical in the two Acts.

**2010-2012 Budget Reference.** See State/Executive Branch Budget, 2010 (1st Extra. Sess.) Ky. Acts ch. 1, Pt. I, K, 1, (3) at 49.

**2010-2012 Budget Reference.** See State/Executive Branch Budget, 2010 (1st Extra. Sess.) Ky. Acts ch. 1, Pt. X, D, 4, a, (1) at 152.