
By Mr. Aylmer, a petition (accompanied by bill, Senate, No. 584) of John F. Aylmer and Howard C. Cahoon, Jr., for legislation relative to cancer and making an appropriation therefor. Health Care.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-one.

AN ACT RELATING TO CANCER AND MAKING AN APPROPRIATION
THEREFOR.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. (1) It is hereby declared to be the intent of the
2 general court to reduce the incidence, morbidity, and mortality
3 rates for cancer in Massachusetts by improving cancer pre-
4 vention, detection, diagnosis, therapy, rehabilitation and con-
5 tinuing care activities for the citizens of the Commonwealth.

6 (2) In addition, the provisions of this act are intended to
7 encourage and support research, educational, and manage-
8 ment programs which provide new knowledge of cancer pre-
9 vention, detection, diagnosis, therapy, and rehabilitation, and
10 to enable the rapid and continuing transfer of this new knowl-
11 edge to the public and the community health providers.

12 (3) It is intended that the implementation of the provisions
13 of this act could lead to Massachusetts' recognition as a re-
14 gional comprehensive cancer center program and thus qualify
15 Massachusetts for additional and substantial federal funds to
16 support cancer-related research and control activities.

17 (4) The provisions of this act are intended to permit state-
18 wide coordination of cancer research, education, and control
19 activities, but shall not be deemed in any way to be intended
20 to interfere with the private practice of medicine in the Com-
21 monwealth.

1 SECTION 2. (1) The Massachusetts cancer commission is
2 hereby created. The commission shall be composed of thirteen

3 (13) members, eleven (11) of whom shall be appointed by the
4 governor, and who shall be representative of those organiza-
5 tions in both the private and public sectors who devote sub-
6 stantial time to cancer research and treatment as well as at
7 least one representative from the University of Massachusetts
8 Medical School. The two (2) remaining commission mem-
9 bers shall be members of the Massachusetts General Court,
10 one (1) of whom shall be appointed by the speaker of the
11 house of representatives and one (1) of whom shall be ap-
12 pointed by the president of the senate.

13 (2) The two (2) members of the general court shall serve
14 for a term of two (2) years each. The remaining eleven (11)
15 members shall serve for a term of four (4) years, except that
16 the first appointments shall be made as follows: two (2) for
17 a term of one (1) year; two (2) for a term of two (2) years;
18 three (3) for a term of three (3) years; and four (4) for a
19 term of four (4) years.

20 (3) No member of the commission shall receive any salary,
21 fee or other remuneration for his services as a member of the
22 commission but each member shall be reimbursed for his
23 ordinary travel expenses, including meals and lodging, in-
24 curred in the performance of his duties incident to implemen-
25 tation of the provisions of this Act.

26 (4) The commission shall elect, by a majority vote of the
27 thirteen (13) members, a chairman who shall be presiding
28 officer of the commission, shall preside at all meetings, and
29 coordinate the functions and activities of the commission. The
30 chairman shall be elected or re-elected annually. The com-
31 mission shall have such other organization as deemed neces-
32 sary and approved by the commission.

33 (5) The commission may appoint such advisory committees
34 as are deemed necessary to administer the provisions of this
35 Act.

36 (6) Meetings of the commission shall be held at least
37 quarterly but may be held more frequently as deemed neces-
38 sary subject to call by the chairman or by request of a major-
39 ity of commission members. Commission meetings shall con-
40 cern, among other things, policy matters relating to cancer
41 research, educational and management programs and projects,

42 research progress reports, authorization of projects and finan-
43 cial plans, and such other matters as necessary to carry out
44 the intent of this Act.

45 (7) Eight (8) members of the commission shall constitute
46 a quorum for doing business. Each member shall have one
47 (1) vote and a majority vote of the members present shall
48 control on all questions.

49 (8) The commission may employ such reasonable number
50 of staff as deemed necessary to perform their duties author-
51 ized under this Act. Any operating expenses shall be paid
52 through the fund appropriated under section 5 of this Act.

53 (9) The governor shall allocate space for the commission
54 to hold their meetings and a place in which to store their
55 material within the department of public health.

1 SECTION 3. (1) The Massachusetts cancer commission shall
2 review and authorize cancer research, educational and man-
3 agement programs and projects authorized under subsection
4 (2) of this section and financed under Section 5 of the act.
5 When, after diligent search, it is determined by the com-
6 mission that adequate facilities are not available in the Com-
7 monwealth to support the activities intended by this act, the
8 commission may use funds appropriated under section 5 of
9 this act and any other available funds to construct cancer re-
10 search facilities. Any such facilities constructed shall be
11 affiliated with the University of Massachusetts Medical
12 School.

13 2. In addition, the powers and duties of the Massachusetts
14 cancer commission shall be to:

15 (a) Develop a coordinated statewide cancer program to
16 reduce the incidence, morbidity, and mortality rates for can-
17 cer in the Commonwealth.

18 (b) Improve cancer prevention, detection, diagnosis, ther-
19 apy, rehabilitation, and continuing care programs for citizens
20 of the Commonwealth.

21 (c) Support research directed toward the improvement of
22 cancer prevention, detection, diagnosis, therapy, and rehabili-
23 tation;

24 (d) Support research into the identification and elimination

25 within the Commonwealth of cancer-causing agents;

26 (e) Establish and maintain a centralized statewide tumor
27 documentation system for recording all cancer cases which
28 shall be utilized for follow-up and epidemiological studies in-
29 cluding the monitoring of the efficacy of new therapy regi-
30 mens being given to cancer patients;

31 (f) Improve the quality and availability of cancer care par-
32 ticularly in those regions of the Commonwealth that are
33 severely medically underserved;

34 (g) Formulate policies and procedures as necessary to car-
35 ry out the provisions of this Act;

36 (h) Promulgate rules and regulations as necessary to carry
37 out the provisions of this act and to insure proper expenditure
38 of funds appropriated under Section 5 of this act.

39 (i) Provide the governor, and the general court with an
40 annual report by January 30 of each year showing the status
41 of funds expended under this act and the purpose for which
42 such funds were expended; and

43 (j) Approve and release public statements relating to the
44 progress and results of cancer research, educational and
45 management programs.

46 (3) The Massachusetts cancer commission may:

47 (a) Accept any grants for programs or projects authorized
48 under the provisions of this act;

49 (b) Make grants to any nonprofit organizations, agencies,
50 or institutions conducting cancer research, education, and
51 management programs which will accomplish the purposes of
52 this Act; and

53 (c) Provide for the subcontracting to organizations, agen-
54 cies or institutions conducting cancer research, education and
55 management programs a small percentage of grants provided
56 under subsection (3) (b) of this section if such program or
57 any component part thereof cannot be performed by any non-
58 profit organization, agency, or institution eligible to receive
59 such grants.

1 SECTION 4. (1) The funds appropriated under Section 5 of
2 this act shall be credited to the Massachusetts cancer com-
3 mission trust fund which is hereby created.

4 (2) Federal funds which may be made available to supple-
5 ment or match state funds for cancer programs provided for
6 by this act shall be credited to the Massachusetts cancer trust
7 fund created in sub-section (1) of this section.

8 (3) Funds deposited to the credit of the Massachusetts
9 cancer commission trust fund shall be used to finance the pro-
10 grams authorized by this act and for no other purpose except
11 as provided in subsection (5) of this section.

12 (4) Funds unexpended at the close of a fiscal year shall not
13 lapse but shall be carried forward to the next fiscal year pro-
14 vided, however, that such surplus shall be included in the
15 budget considered and approved by the commission for the
16 ensuing period.

17 (5) Any state agency may, at its discretion, transfer funds
18 to the Massachusetts cancer commission trust fund, provided
19 such funds are only used for programs authorized under this
20 act.

1 SECTION 5. To carry out the purposes of this act, there is
2 appropriated to the Massachusetts Cancer Commission the
3 sum of \$1,500,000 for the fiscal year 1981 and \$1,500,000 for
4 fiscal year 1982 from the general fund of the state treasury
5 of the commonwealth.

