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§13–1116.

(a) (1) (i) For each of fiscal years 2011 and 2012:

1. The Governor shall include at least $2,400,000 in the annual budget in appropriations for the Statewide Academic Health Center Cancer Research Grants under this section; and

2. The Grants shall be distributed between the Statewide Academic Health Centers as follows:

A. $2,007,300 to the University of Maryland Medical Group; and

B. $392,700 to the Johns Hopkins Institutions.

(ii) For fiscal year 2013 and each fiscal year thereafter:

1. The Governor shall include at least $13,000,000 in the annual budget in appropriations for the Statewide Academic Health Center Cancer Research Grants under this section; and

2. The Grants shall be distributed according to historical allocations between the Academic Health Centers.

(2) Subject to the other provisions of this section, the Department may distribute Statewide Academic Health Center Cancer Research Grants to the University of Maryland Medical Group and the Johns Hopkins Institutions for the purpose of enhancing cancer research activities that may lead to a cure for a targeted cancer and increasing the rate at which cancer research activities are translated into treatment protocols in the State.

(b) Before receiving a Statewide Academic Health Center Cancer Research Grant, an institution shall:

(1) Submit a Cancer Research Plan that:

(i) Provides a detailed plan as to how the Statewide Academic Health Center Cancer Research Grant will be spent and how it will be used to meet the goals established by the Department;

(ii) Provides a complete inventory of all cancer research activities relating to targeted cancers that are currently being conducted by the institution, including a breakdown of the types of cancer to which the research relates;

(iii) Specifies the source and amount of funding for all of the cancer research activities identified under item (ii) of this paragraph;

(iv) Certifies that the cancer research activities that will be funded by the Statewide Academic Health Center Cancer Research Grant have been endorsed by an independent peer review group that is comprised of experts in the field from outside the institution who will not be involved in the research;

(v) Identifies the individuals who make up the independent peer review group; and

(vi) Includes any other information that is requested by the Department; and

(2) Enter into a memorandum of understanding with the Department of Health and Mental Hygiene, the Department of Business and Economic Development, and the Maryland Technology Development Corporation that:

(i) Establishes the scope of the State's ownership or other financial interest in the commercialization and other benefits of the results, products, inventions, and discoveries of cancer research activities funded by a Statewide Academic Health Center Cancer Research Grant;

(ii) Establishes a plan for expediting the translation of cancer research activities into treatment protocols and clinical trials; and

(iii) To the extent consistent with federal and State law, reflects the intellectual property policies of the Statewide Academic Health Center.

(c) A memorandum of understanding established under subsection (b)(2) of this section may allow for the selection of a higher education institution or private entity to expedite the translation of cancer research activities into treatment protocols and clinical trials.

(d) The Department may not distribute a Statewide Academic Health Center Cancer Research Grant unless the Department first determines that:

(1) A Cancer Research Plan will help achieve the purpose of the Program;

(2) The institution that receives the Grant will not use any part of the Grant to supplant existing cancer research activities or any other type of current expenditure by the institution;

(3) The Grant will be used to fund cancer research activities that relate to targeted cancers;

(4) The institution has executed a memorandum of understanding as required by subsection (b)(2) of this section; and

(5) The institution satisfies any other requirement established by the Department as a condition of receiving the Grant.

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