

By: Senator(s) Dawkins

To: Public Health and Welfare

SENATE BILL NO. 2934

1 AN ACT TO AMEND SECTION 41-101-1, MISSISSIPPI CODE OF 1972,
2 TO EXTEND THE AUTOMATIC REPEALER ON THE MISSISSIPPI COUNCIL ON
3 OBESITY PREVENTION AND MANAGEMENT; AND FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 **SECTION 1.** Section 41-101-1, Mississippi Code of 1972, is
6 amended as follows:

7 41-101-1. (1) There is created the Mississippi Council on
8 Obesity Prevention and Management, hereinafter referred to as the
9 "council," within the State Department of Health to be in
10 existence for the period from July 1, 2001, until July 1, 2011, or
11 until the council is established as a nonprofit corporation,
12 whichever is the earlier date. The council may accept and expend
13 grants and private donations from any source, including federal,
14 state, public and private entities, to assist it to carry out its
15 functions.

16 (2) The powers, functions and duties of the council shall
17 include, but not be limited to, the following:

18 (a) The collection and analysis of data regarding the
19 extent to which children and adults in Mississippi suffer from
20 obesity, and the programs and services currently available to meet
21 the needs of overweight children and adults, and the funds
22 dedicated by the state to maintain those programs and services.

23 (b) The collection and analysis of data to demonstrate
24 the economic impact on the state of treating obesity and the
25 estimated cost savings of implementing a comprehensive statewide
26 obesity prevention and management model.

27 (c) The establishment and maintenance of a resources
28 data bank containing information about obesity and related
29 subjects accessible to educational and research institutions, as
30 well as members of the general public.

31 (d) Consideration of the feasibility of awarding tax
32 incentives for work sites that promote activities to reduce
33 obesity in the workforce.

34 (e) The establishment of recommendations to enhance
35 funding for effective prevention and management programs and
36 services, including Medicaid, private health insurance programs,
37 and other state and federal funds.

38 (f) The establishment of recommendations designed to
39 assure that children of school age who may have early indicators
40 of obesity have access to affordable, effective prevention and
41 management services.

42 (g) The establishment of recommendations for changes to
43 statewide elementary and secondary education curricula to
44 implement comprehensive, coordinated obesity awareness and
45 education programs.

46 (h) Recommendations to enhance clinical education
47 curricula in medical, nursing and other schools of higher
48 education to implement comprehensive, coordinated obesity
49 awareness and education courses.

50 (i) Recommendations to increase education and awareness
51 among primary care physicians and other health professionals
52 regarding the recognition, prevention and effective management of
53 obesity.

54 (j) Consideration of a state prevention campaign to
55 increase public awareness of the need for early prevention and
56 management of obesity, possibly including:

57 (i) A broad-based public education campaign
58 outlining health risks associated with failure to receive
59 treatment for obesity.

60 (ii) A health professional training campaign.

61 (iii) A targeted public education campaign
62 directed toward high-risk populations.

63 (k) Coordination with the United States Department of
64 Agriculture, the United States Department of Health and Human
65 Services, the United States Department of Education, the United
66 States Centers for Disease Control and the National Center for
67 Chronic Disease Prevention to share resources and information in
68 order to ensure a comprehensive approach to obesity and
69 obesity-related conditions.

70 (l) Coordination with the State Departments of
71 Education, Health, Human Services and the Division of Medicaid to
72 share resources and information in order to ensure a comprehensive
73 approach to obesity and obesity-related conditions.

74 (m) Identification of and recommendations to reduce
75 cultural, environmental and socioeconomic barriers to prevention
76 and management of obesity in Mississippi.

77 (3) The council shall be composed of the following members:

78 (a) The Executive Director of the State Department of
79 Health, or his designee;

80 (b) The Executive Director of the Department of Human
81 Services, or his designee;

82 (c) The State Superintendent of Education, or his
83 designee;

84 (d) The Executive Director of the State Department of
85 Mental Health, or his designee;

86 (e) A representative of the Office of the Governor, to
87 be appointed by the Governor;

88 (f) A member of the House of Representatives, appointed
89 by the Speaker of the House of Representatives;

90 (g) A member of the Senate, appointed by the Lieutenant
91 Governor;

92 (h) Two (2) representatives of the public at large, to
93 be selected by the Governor;

94 (i) The President of either the Mississippi Medical
95 Association or the African-American Obesity Research and Treatment
96 Association (AAORTA), or his designee;

97 (j) The President of the Mississippi State Nurses
98 Association, or his designee;

99 (k) The President of the Mississippi Pharmacists
100 Association, or his designee;

101 (l) The President of the Mississippi Chapter of the
102 American Academy of Pediatrics, or his designee;

103 (m) The Vice Chancellor of the University of
104 Mississippi Medical Center, or his designee;

105 (n) A representative appointed from the Mississippi
106 state office of the American Association of Retired Persons;

107 (o) A representative of the Mississippi Dietetic
108 Association;

109 (p) A representative of the Mississippi Restaurant
110 Association;

111 (q) The President of the Mississippi Physical Therapy
112 Association, or his designee;

113 (r) A member appointed by the Mississippi Commissioner
114 of Insurance;

115 (s) A representative from a food processor or food
116 manufacturer; and

117 (t) A representative from the Mississippi Soft Drink
118 Association.

119 (4) The council shall meet upon call of the Governor not
120 later than August 1, 2001, and shall organize for business by
121 selecting a chairman who shall serve for a one-year term and may
122 be selected for subsequent terms. The council shall adopt
123 internal organizational procedures necessary for efficient
124 operation of the council. Council procedures shall include duties

125 of officers, a process for selecting officers, quorum requirements
126 for conducting business and policies for any council staff. Each
127 member of the council shall designate necessary staff of their
128 departments to assist the council in performing its duties and
129 responsibilities. The council shall meet and conduct business at
130 least quarterly. Meetings of the council shall be open to the
131 public and opportunity for public comment shall be made available
132 at each such meeting. The chairman of the council shall notify
133 all persons who request that notice as to the date, time and place
134 of each meeting.

135 (5) Members of the council shall receive no compensation for
136 their services.

137 (6) The council shall submit a report, including proposed
138 legislation if necessary, to the Governor and to the House and
139 Senate Health and Welfare Committees before the convening of the
140 2004 legislative session. The report shall include a
141 comprehensive state plan for implementation of services and
142 programs in the State of Mississippi to increase prevention and
143 management of obesity in adults and children and an estimate of
144 the cost of implementation of such a plan.

145 (7) All departments, boards, agencies, officers and
146 institutions of the state and all subdivisions thereof shall
147 cooperate with the council in carrying out its purposes under this
148 section.

149 **SECTION 2.** This act shall take effect and be in force from
150 and after June 30, 2006.