

By: Senator(s) Dawkins

To: Public Health and Welfare

SENATE BILL NO. 2412

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 TO REQUIRE ANNUAL REPORTS BY
4 THE COUNCIL; AND FOR RELATED PURPOSES.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

61 (ii) A health professional training campaign.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

150 **SECTION 2.** This act shall take effect and be in force from
151 and after July 1, 2007.