

By: Representative Whittington

To: Public Health and  
Welfare

## HOUSE BILL NO. 989

1 AN ACT TO AMEND SECTION 41-101-1, MISSISSIPPI CODE OF 1972,  
2 TO EXTEND THE EXISTENCE OF THE MISSISSIPPI COUNCIL ON OBESITY  
3 PREVENTION AND MANAGEMENT UNTIL JULY 1, 2006; AND FOR RELATED  
4 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  
9 Council on Obesity Prevention and Management, hereinafter referred  
10 to as the "council," within the State Department of Health to be  
11 in existence for the period from July 1, 2001, to July 1, 2006.  
12 The council may accept and expend grants and private donations  
13 from any source, including federal, state, public and private  
14 entities, to assist it to carry out its functions.

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

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

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

26 (c) The establishment and maintenance of a resources  
27 data bank containing information about obesity and related



28 subjects accessible to educational and research institutions, as  
29 well as members of the general public.

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

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

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

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

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

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

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

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

59 (ii) A health professional training campaign.



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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

(o) A representative of the Mississippi Dietetic Association;

(p) A representative of the Mississippi Restaurant Association;

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

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

(s) A representative from a food processor or food manufacturer.

(4) The council shall meet upon call of the Governor not later than August 1, 2001, and shall organize for business by selecting a chairman who shall serve for a one-year term and may be selected for subsequent terms. The council shall adopt internal organizational procedures necessary for efficient operation of the council. Council procedures shall include duties of officers, a process for selecting officers, quorum requirements for conducting business and policies for any council staff. Each member of the council shall designate necessary staff of their departments to assist the council in performing its duties and



126 responsibilities. The council shall meet and conduct business at  
127 least quarterly. Meetings of the council shall be open to the  
128 public and opportunity for public comment shall be made available  
129 at each such meeting. The chairman of the council shall notify  
130 all persons who request that notice as to the date, time and place  
131 of each meeting.

132 (5) Members of the council shall receive no compensation for  
133 their services.

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

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

146 **SECTION 2.** This act shall take effect and be in force from  
147 and after July 1, 2003.

