

By: Representative Warren

To: Public Health and Human Services

HOUSE BILL NO. 783

1 AN ACT TO AMEND SECTION 41-101-1, MISSISSIPPI CODE OF 1972,  
2 WHICH CREATES THE MISSISSIPPI COUNCIL ON OBESITY PREVENTION AND  
3 MANAGEMENT, TO EXTEND THE DATE OF REPEAL; 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 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, 2008, 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 work force.

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. The report shall include a  
142 comprehensive state plan for implementation of services and  
143 programs in the State of Mississippi to increase prevention and  
144 management of obesity in adults and children and an estimate of  
145 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, 2006.