

HOUSE BILL No. 2366

By Representative Ballard

2-12

AN ACT creating the council on obesity prevention and management.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) There is hereby created the Kansas council on obesity prevention and management, hereinafter referred to as the "council", within the department of health and environment. The council shall be in existence for the period from August 1, 2003 to March 31, 2005. In addition to any legislative appropriation, the council may accept and expend grants and private donations from any source, including federal, state, public and private entities, to assist the council to carry out the council's functions.

(b) For the purposes of this act, obesity is classified as a disease in all cases where the person's body mass index (BMI) is 30 kg/m², or where a person's body mass index (BMI) is 27 kg/m² or greater and the person suffers from one or more of the following conditions or diseases:

- (1) Type II diabetes;
- (2) impaired glucose tolerance;
- (3) hyperinsulinemia;
- (4) dyslipidemia;
- (5) hypertension;
- (6) cardiovascular disease;
- (7) gastric reflux disease;
- (8) gallbladder disease;
- (9) osteoarthritis of the hips or knees;
- (10) sleep apnea;
- (11) cerebrovascular disease.

Sec. 2. The powers, functions and duties of the council shall include, but not be limited to, the following:

(a) The collection and analysis of data regarding the extent to which children and adults in Kansas suffer from obesity, and the programs and services currently available to meet the needs of overweight children and adults, and the funds dedicated by the state to maintain such programs and services.

(b) The collection and analysis of data to demonstrate the economic impact on the state of treating obesity-related diseases and the estimated

1 cost savings of implementing a comprehensive statewide obesity preven-
2 tion and management model.

3 (c) The establishment and maintenance of a resource databank con-
4 taining information about obesity and related subjects accessible to ed-
5 ucational and research institutions, as well as members of the general
6 public.

7 (d) Consideration of the feasibility of awarding tax incentives for work
8 sites which promote activities to reduce obesity in the work force.

9 (e) The establishment of recommendations to enhance funding for
10 effective prevention and management programs and services, including
11 medicaid, private health insurance programs and other state and federal
12 funds.

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

16 (g) The establishment of recommendations for changes to statewide
17 elementary and secondary education curricula to implement comprehen-
18 sive, coordinated obesity awareness and education programs.

19 (h) Recommendations to enhance clinical education curricula in
20 medical, nursing and other schools of higher education to implement
21 comprehensive, coordinated obesity awareness and education courses.

22 (i) Recommendations to increase education and awareness among
23 primary care physicians and other health professionals regarding the rec-
24 ognition of obesity as a disease, and effective prevention and
25 management.

26 (j) Consideration of a state prevention campaign to increase public
27 awareness of the need for early prevention and management of obesity,
28 including:

29 (1) A broad-based public education campaign outlining health risks
30 associated with failure to receive treatment for obesity.

31 (2) A health professional training campaign.

32 (3) A targeted public education campaign directed toward high risk
33 populations.

34 (k) Coordination with the United States center for disease control,
35 the national center for chronic disease prevention, the United States de-
36 partment of agriculture, the United States department of health and hu-
37 man services and the United States department of education to share
38 resources and information in order to ensure a comprehensive approach
39 to the disease of obesity and obesity-related conditions.

40 (l) Coordination with the state departments of education, human re-
41 sources, health and environment, and social and rehabilitation services to
42 share resources and information in order to ensure a comprehensive ap-
43 proach to the disease of obesity and obesity-related conditions.

1 (m) Identification of and recommendations to reduce cultural, envi-
2 ronmental and socioeconomic barriers to prevention and management of
3 obesity in Kansas.

4 Sec. 3. (a) The council shall convene for its first meeting no later
5 than October 1, 2003. The chairperson and vice-chairperson of the coun-
6 cil shall be appointed by the secretary of health and environment. The
7 council shall have a program coordinator and a half-time clerical staff
8 person to assist in administering the business of the council. The council
9 may adopt such rules of procedure as are necessary to facilitate orderly
10 conduct of its business.

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

12 (1) The secretary of health and environment or the secretary's
13 designee.

14 (2) The secretary of social and rehabilitation services or the secre-
15 tary's designee.

16 (3) The state commissioner of education or the commissioner's
17 designee.

18 (4) The secretary of human resources or the secretary's designee.

19 (5) A representative of the office of the governor, to be appointed by
20 the governor.

21 (6) Two members of the house of representatives, one appointed by
22 the speaker and one by the minority leader.

23 (7) Two members of the senate, one appointed by the president and
24 one by the minority leader.

25 (8) Two representatives of the public-at-large to be selected by the
26 secretary of health and environment.

27 (9) The president of the Kansas state medical society or the presi-
28 dent's designee.

29 (10) The president of the Kansas state nurses association or the presi-
30 dent's designee.

31 (11) The president of the Kansas pharmacists association or the presi-
32 dent's designee.

33 (12) The president of the Kansas chapter of the American academy
34 of pediatrics or the president's designee.

35 (13) The executive vice chancellor of the university of Kansas medical
36 center or the chancellor's designee.

37 (14) The president of the Kansas association of health plans or the
38 president's designee.

39 (15) The president of the Kansas public health association or the
40 president's designee.

41 (16) The president of the Kansas health insurance association or the
42 president's designee.

43 (17) A representative appointed from the Kansas state office of the

1 American association of retired persons.

2 (18) A representative of the Kansas dietetic association.

3 (19) The president of the physical therapy association or the presi-
4 dent's designee.

5 (20) A member appointed by the commissioner of insurance.

6 (21) The president of the Kansas hospital association or the presi-
7 dent's designee.

8 (22) A representative of the food processing and manufacturing in-
9 dustry selected by the secretary of health and environment.

10 (c) All members shall serve without compensation, except that the
11 program coordinator of the council and a half-time staff member shall
12 receive a salary to be determined by the secretary of health and
13 environment.

14 (d) The council shall meet at least quarterly. Meetings also shall be
15 held on call of the chairperson or at the request of at least three members
16 of the council.

17 (e) The council shall submit a report, including proposed legislation
18 if necessary, to the governor and to the house of representatives health
19 and human services committee and the senate health and welfare com-
20 mittee, prior to the convening of the 2005 legislative session. Such report
21 shall include a comprehensive state plan for implementation of services
22 and programs in the state of Kansas to increase prevention and manage-
23 ment of the disease of obesity in adults and children and an estimate of
24 the cost of implementation of such a plan.

25 (f) All department, boards, agencies, officers and institutions of the
26 state and all subdivisions thereof shall cooperate with the council in car-
27 rying out its purposes pursuant to this act.

28 Sec. 4. This act shall take effect and be in force from and after its
29 publication in the statute book.

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