

## HOUSE BILL No. 2208

By Representative Pottorff

1-27

---

9 AN ACT establishing a task force on the prevention and treatment of  
10 obesity.

11

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

13 Section 1. (a) There is hereby established the state task force on the  
14 prevention and treatment of obesity.

15 (b) The task force shall be composed of 13 members to be appointed  
16 as follows:

17 (1) Eight members shall be appointed by the secretary of health and  
18 environment. Of such members:

19 (A) One shall be a member of the public school system;

20 (B) one shall be an employer;

21 (C) one shall be a member of a local development agency;

22 (D) one shall be a member of the food industry;

23 (E) one shall be a member of a community-based nonprofit agency  
24 serving children and youth;

25 (F) one shall be a member of a community-based nonprofit agency  
26 serving communities with a high incidence of obesity;

27 (G) one shall be a member of a public employee union;

28 (H) one shall be a health care provider who is an expert in obesity  
29 prevention and treatment of severe and morbid obesity; and

30 (2) five members shall be appointed as follows:

31 (A) One shall be a member of the Kansas senate to be appointed by  
32 the president of the senate;

33 (B) one shall be a member of the Kansas senate to be appointed by  
34 the minority leader of the senate;

35 (C) one shall be a member of the Kansas house of representatives to  
36 be appointed by the speaker of the house of representatives;

37 (D) one shall be a member of the Kansas house of representatives to  
38 be appointed by the minority leader of the house of representatives; and

39 (E) one shall be a member appointed by the governor.

40 (c) The secretary of health and environment shall appoint the chair-  
41 person and vice-chairperson from among the membership and shall pro-  
42 vide the task force with appropriate administrative support, including  
43 staff, facilities and reproduction, publication and dissemination of

1 materials.

2 (d) The board shall meet on the call of the chairperson or on the  
3 request of three or more members. At its first meeting, the task force  
4 shall approve, by a majority vote of the members present, its rules of  
5 operation. Such rules shall include procedures for appointing committees,  
6 required vote margins and quorums.

7 (e) If a vacancy occurs on the board such vacancy shall be filled in  
8 the same manner as the vacating member was appointed.

9 (f) Members of the task force attending meetings of the task force or  
10 attending a subcommittee meeting thereof authorized by the task force  
11 shall be paid compensation, subsistence allowances, mileage and other  
12 expenses as provided in K.S.A. 75-3223, and amendments thereto.

13 (g) The task force shall:

14 (1) Deliver a final report to the governor and the legislature by Jan-  
15 uary 15, 2007, which shall:

16 (A) Analyze the extent and consequences of obesity, severe obesity  
17 and morbid obesity in Kansas. This analysis shall include an identification  
18 of particular populations at highest risk of obesity and morbid obesity;

19 (B) discuss the consequences of obesity, including, but not limited  
20 to, public and private health care costs, lost productivity, morbidity and  
21 mortality;

22 (C) make recommendations for an integrated, statewide plan to pre-  
23 vent and reduce the incidence of obesity, severe obesity and morbid obe-  
24 sity and to provide essential care to individuals who are severely or mor-  
25 bidly obese. In developing such a plan the task force shall consider a broad  
26 range of public and private options, including the following:

27 (i) Education in primary, secondary and post-secondary school about  
28 obesity, nutrition and exercise.

29 (ii) Other education about obesity, nutrition and exercise. Such ed-  
30 ucation may include use of mass media, community-based organizations  
31 and peer-to-peer education. Educational activities shall be designed to  
32 take into account the linguistic and cultural characteristics as well as the  
33 education levels of the populations at greatest risk of obesity.

34 (iii) Increasing physical activity by children and youth. Such activities  
35 may include physical education classes, other activities during school and  
36 activities when school is not in session.

37 (iv) Encouragement and facilitation of healthy nutrition and exercise  
38 by both private and public employers.

39 (v) Promoting planning of the physical environment to encourage and  
40 facilitate increased physical activity, including increased walking and bi-  
41 cycling as means of transportation.

42 (vi) Other strategies to increase the opportunities for and the extent  
43 of adult physical activity.

- 1 (vii) Anticipatory guidance and counseling from health care  
2 providers.
- 3 (viii) Tax incentives to encourage behaviors that reduce the incidence  
4 of obesity and to discourage behaviors that increase the incidence of  
5 obesity.
- 6 (ix) Health insurance rules (including medicaid, coverage for public  
7 employees and retirees and private health insurance) and other policies  
8 and practices pertaining to treatment of severe and morbid obesity.
- 9 (2) Take such steps as are reasonably necessary to gather information  
10 and to move task force members toward consensus before releasing the  
11 final version of the report required under paragraph (1) of subsection (g).  
12 Such steps shall include:
- 13 (A) Holding at least three public hearings in various parts of the state  
14 at which members of the public may testify; and
- 15 (B) releasing a draft report for public comment at least three months  
16 before publication of the final report to the governor and legislature.
- 17 (h) Meetings of the task force and its subcommittees shall be subject  
18 to the Kansas open meetings act.
- 19 Sec. 2. This act shall take effect and be in force from and after its  
20 publication in the statute book.