

Regular Session, 2014

SENATE BILL NO. 513

BY SENATOR HEITMEIER

HEALTH SERVICES. Provides for the Louisiana Obesity Prevention and Management Commission. (gov sig)

1 AN ACT

2 To enact R.S. 36:259(OO) and R.S. 40:2018.4, relative to the creation of the Louisiana
3 Obesity Prevention and Management Commission within the Department of Health
4 and Hospitals; to provide for membership; to provide for the functions of the
5 commission; to provide for termination of the legislative authority for the
6 commission; to provide for an effective date; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 36:259(OO) is hereby enacted to read as follows:

9 §259. Transfer of agencies and functions to Department of Health and Hospitals

10 * * *

11 **OO. The Louisiana Obesity Prevention and Management Commission**
12 **(R.S. 40:2018.4) is placed within the Department of Health and Hospitals and**
13 **shall exercise and perform its powers, duties, functions, and responsibilities as**
14 **provided by or pursuant to law.**

15 Section 2. R.S. 40:2018.4 is hereby enacted to read as follows:

16 **§2018.4. Louisiana Obesity Prevention and Management Commission**

17 **A. There is hereby established in the Department of Health and**

1 Hospitals a commission designated the Louisiana Obesity Prevention and
2 Management Commission ("commission"), composed of seven members as
3 provided for in this Section. The commission may accept and expend grants
4 and private donations from any source, including federal, state, public, and
5 private entities, to assist it to carry out its functions.

6 B. The powers, functions, and duties of the commission shall include but
7 not be limited to the following:

8 (1) Assisting the executive departments and agencies in achieving
9 programmatic goals. To this end, the commission shall provide leadership and
10 support for:

11 (a) Organizational efforts found necessary to achieve programmatic
12 objectives.

13 (b) Articulating standards through the dissemination of materials,
14 identification of expert opinion, identification of alternate means of developing
15 effective population-based programs, and development of policy in identified
16 health risks.

17 (c) Creating awareness of health risks due to overweight and obesity
18 conditions among payers, providers, and patients.

19 (d) Enhancing reporting mechanisms of latest outcomes and health
20 trends in the area of overweight and obesity concerns.

21 (e) Conducting evaluations of program effectiveness.

22 (f) Encouraging research and the identification of resources that seek
23 ways to promote cost-effective methods of treating overweight and obesity
24 conditions.

25 (2) Assisting in conducting exploratory research as deemed necessary
26 with the intent of achieving programmatic objectives.

27 (3) Conducting public meetings to discuss obesity.

28 (4) Advising and assisting participating agencies with the development
29 and implementation of obesity programs.

1 **(5) Analyzing what other entities across the state are doing to combat**
2 **obesity.**

3 **(6) Advising the executive departments and agencies as to the**
4 **implementation of the commission's recommendations.**

5 **C. The commission shall convene its first meeting no later than August**
6 **31, 2014. At the first meeting the chairman and vice chairman of the**
7 **commission shall be appointed by the secretary of the Department of Health**
8 **and Hospitals with the consultation and approval of the commission. The**
9 **commission may adopt such rules of procedure as are necessary to facilitate**
10 **orderly conduct of its business.**

11 **D. The commission shall be composed of the following members:**

12 **(1) The secretary of the Department of Health and Hospitals, or his**
13 **designee.**

14 **(2) The state superintendent of education, or his designee.**

15 **(3) The commissioner of insurance, or his designee.**

16 **(4) The president of the Senate, or his designee.**

17 **(5) The speaker of the House of Representatives, or his designee.**

18 **(6) The director of the Pennington Biomedical Research Center, or his**
19 **designee.**

20 **(7) The director of the Prevention Research Center at Tulane University,**
21 **or his designee.**

22 **(8) Two members from community-based groups elected by the other**
23 **commission members at their first meeting. These two members shall serve a**
24 **term of two years and may be elected by the other commission members to**
25 **serve additional terms.**

26 **E. Nonlegislative members of the commission shall not be entitled to per**
27 **diem or any other compensation for their service but shall be entitled to**
28 **reimbursement of any necessary and reasonable expense incurred in the**
29 **performance of their duties on the commission, including travel expenses. Each**

1 **legislative member of the commission shall receive the same per diem and travel**
 2 **reimbursement for attending meetings of the commission as is normally**
 3 **provided for members of the legislature.**

4 **F. The commission shall meet at least quarterly. Meetings shall also be**
 5 **held on call of the chairman or at the request of at least three members of the**
 6 **commission. Presence of a majority of the members of the commission shall**
 7 **constitute a quorum.**

8 **G. The commission shall submit an annual report, including proposed**
 9 **legislation if necessary, to the governor and to the health and welfare**
 10 **committees of the Senate and House of Representatives, sixty days prior to the**
 11 **convening of each regular legislative session. The report shall update the**
 12 **legislature on the commission's progress toward full implementation of services**
 13 **and programs in the state to increase prevention and management of the disease**
 14 **of obesity in adults and children.**

15 **H. The legislative authority for the existence of the commission shall**
 16 **cease on March 31, 2016.**

17 Section 3. This Act shall become effective upon signature by the governor or, if not
 18 signed by the governor, upon expiration of the time for bills to become law without signature
 19 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 20 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 21 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
 of the legislative instrument, were prepared by Christopher D. Adams.

DIGEST

Heitmeier (SB 513)

Proposed law provides for the creation of the Louisiana Obesity Prevention and Management Commission (the commission) within the Department of Health and Hospitals.

Proposed law provides the commission with the following functions and duties:

- (1) Assisting the executive departments and agencies in achieving programmatic goals.
- (2) Assisting in conducting exploratory research as deemed necessary with the intent of achieving programmatic objectives.

- (3) Conducting public meetings to discuss obesity.
- (4) Advising and assisting participating agencies with the development and implementation of obesity programs.
- (5) Analyzing what other entities across the state are doing to combat obesity.
- (6) Advising the executive departments and agencies as to the implementation of the commission's recommendations.

Proposed law provides for the commission having nine members:

- (1) The secretary of the Department of Health and Hospitals, or his designee.
- (2) The state superintendent of education, or his designee.
- (3) The commissioner of insurance, or his designee.
- (4) The president of the Senate, or his designee.
- (5) The speaker of the House of Representatives, or his designee
- (6) The director of the Pennington Biomedical Research Center, or his designee.
- (7) The director of the Prevention Research Center at Tulane University, or his designee.
- (8) Two members from community-based groups elected by the other commission members at their first meeting.

Proposed law provides nonlegislative members of the commission shall not be entitled to per diem or any other compensation for their service but shall be entitled to reimbursement of any necessary and reasonable expense incurred in the performance of their duties on the commission, including travel expenses. Furthermore, each legislative member of the commission shall receive the same per diem and travel reimbursement for attending meetings of the commission as is normally provided for members of the legislature.

Proposed law provides the commission shall meet at least quarterly.

Proposed law provides the commission shall submit an annual report, including proposed legislation if necessary, to the governor and to the health and welfare committees of the Senate and House of Representatives, 60 days prior to the convening of each regular legislative session.

Proposed law provides the legislative authority for the existence of the commission shall cease on March 31, 2016.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 36:259(OO) and R.S. 40:2018.4)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Health and Welfare to the original bill

1. Provides for two members of the commission from community-based groups elected by the other commission members at their first meeting.

2. Provides for the president of the Senate, or his designee, and the speaker of the House of Representatives, or his designee, to be members of the commission.
3. Provides for the first meeting of the commission to be held no later than August 31, 2014.
4. Changes the reporting requirement of the commission to the legislature to be no later than sixty days before the convening of the regular session.