

SENATE BILL NO. 513

BY SENATOR HEITMEIER AND REPRESENTATIVES ADAMS, ARNOLD, BARROW, BILLIOT, CHAMPAGNE, COX, HUNTER, JEFFERSON, LEBAS, LEGER, POPE, SCHEXNAYDER, SIMON, STOKES, PATRICK WILLIAMS AND WOODRUFF

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**
18 **Hospitals a commission designated the Louisiana Obesity Prevention and**
19 **Management Commission ("commission"), composed of ten members as**
20 **provided for in this Section. The commission may accept and expend grants**
21 **and private donations from any source, including federal, state, public, and**
22 **private entities, to assist it to carry out its functions.**

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

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

4 (a) Organizational efforts found necessary to achieve programmatic
5 objectives.

6 (b) Articulating standards through the dissemination of materials,
7 identification of expert opinion, identification of alternate means of developing
8 effective population-based programs, and development of policy in identified
9 health risks.

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

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

14 (e) Conducting evaluations of program effectiveness.

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

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

20 (3) Conducting public meetings to discuss obesity.

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

23 (5) Analyzing what other entities across the state are doing to combat
24 obesity.

25 (6) Advising the executive departments and agencies as to the
26 implementation of the commission's recommendations.

27 C. The commission shall convene its first meeting no later than August
28 31, 2014. At the first meeting the chairman and vice chairman of the
29 commission shall be appointed by the secretary of the Department of Health
30 and Hospitals with the consultation and approval of the commission. The

1 commission may adopt such rules of procedure as are necessary to facilitate
2 orderly conduct of its business.

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

4 (1) The secretary of the Department of Health and Hospitals, or his
5 designee.

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

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

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

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

10 (6) The director of the Pennington Biomedical Research Center, or his
11 designee.

12 (7) The director of the Prevention Research Center at Tulane
13 University, or his designee.

14 (8) Two members from community-based groups elected by the other
15 commission members at their first meeting. These two members shall serve a
16 term of two years and may be elected by the other commission members to
17 serve additional terms.

18 (9) The director of the Cecil J. Picard Center for Child Development
19 and Lifelong Learning, or his designee.

20 E. Nonlegislative members of the commission shall not be entitled to per
21 diem or any other compensation for their service but shall be entitled to
22 reimbursement of any necessary and reasonable expense incurred in the
23 performance of their duties on the commission, including travel expenses. Each
24 legislative member of the commission shall receive the same per diem and travel
25 reimbursement for attending meetings of the commission as is normally
26 provided for members of the legislature.

27 F. The commission shall meet at least quarterly. Meetings shall also be
28 held on call of the chairman or at the request of at least three members of the
29 commission. Presence of a majority of the members of the commission shall
30 constitute a quorum.

1 G. The commission shall submit an annual report, including proposed
 2 legislation if necessary, to the governor and to the health and welfare
 3 committees of the Senate and House of Representatives, sixty days prior to the
 4 convening of each regular legislative session. The report shall update the
 5 legislature on the commission's progress toward full implementation of services
 6 and programs in the state to increase prevention and management of the disease
 7 of obesity in adults and children.

8 H. The legislative authority for the existence of the commission shall
 9 cease on March 31, 2016.

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

 PRESIDENT OF THE SENATE

 SPEAKER OF THE HOUSE OF REPRESENTATIVES

 GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____