

HB3766



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB3766

Introduced 2/25/2009, by Rep. Elizabeth Coulson

SYNOPSIS AS INTRODUCED:

20 ILCS 2310/2310-371

Amends the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois. Makes a technical change in a Section concerning the Obesity Study and Prevention Fund.

LRB096 09145 RCE 19294 b

A BILL FOR

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Department of Public Health Powers and
5 Duties Law of the Civil Administrative Code of Illinois is
6 amended by changing Section 2310-371 as follows:

7 (20 ILCS 2310/2310-371)

8 Sec. 2310-371. Obesity Study and Prevention Fund.

9 (a) Findings and declarations. The General Assembly finds
10 and declares the ~~the~~ following:

11 (1) that obesity is a serious medical problem affecting
12 up to one-third of all Americans;

13 (2) that obesity is known to cause or exacerbate a
14 number of serious disorders including hypertension,
15 dyslipidemia, cardiovascular disease, diabetes,
16 respiratory dysfunction, gout, and osteoarthritis;

17 (3) that nearly 80% of patients with diabetes mellitus
18 are obese;

19 (4) that nearly 70% of diagnosed cases of
20 cardiovascular disease are related to obesity; and

21 (5) that obesity ranks second only to smoking as a
22 preventable cause of death, with some 300,000 deaths
23 annually attributable to obesity.

1 (b) Definition of "obesity". In this Section, "obesity"
2 means the term as it is defined by the National Institutes of
3 Health including, but not limited to, the condition in which a
4 person's body mass index is at least 30 kilograms per meter
5 squared, or the condition in which a person's body mass index
6 is at least 27 kilograms per meter squared and the person
7 suffers from one or more of the following conditions or
8 diseases: (i) type II diabetes; (ii) impaired glucose
9 tolerance; (iii) hyperinsulinemia; (iv) dyslipidemia; (v)
10 hypertension; (vi) cardiovascular disease; (vii)
11 cerebrovascular disease; (viii) osteoarthritis of the hips or
12 knees; (ix) sleep apnea; (x) gastric reflux disease; or (xi)
13 gallbladder disease.

14 (c) Data collection and report to the General Assembly.

15 (1) Subject to appropriation, the Department, or its
16 designee, shall sample and collect data on individual cases
17 where obesity is being actively treated and analyze that
18 data in order to evaluate the impact of treating obesity.
19 The data collection and analysis shall include the
20 following: (i) the effectiveness of existing methods for
21 treating or preventing obesity; (ii) the effectiveness of
22 alternate methods for treating or preventing obesity;
23 (iii) the fiscal impact of treating or preventing obesity;
24 (iv) the compliance and cooperation of patients with
25 various methods of treating or preventing obesity; and (v)
26 any reduction in serious medical problems associated with

1 diabetes that result from treating or preventing obesity.

2 (2) After completion of the data collection, the
3 Department shall submit a report and supporting materials
4 to the General Assembly by March 1, 2005.

5 (d) Obesity Study and Prevention Fund. The Obesity Study
6 and Prevention Fund is established in the State treasury.
7 Moneys in the Fund shall be earmarked for use by the Department
8 to conduct or support research regarding obesity and shall be
9 expended in accordance with the provisions of this Section. Any
10 Fund balance remaining at the end of a fiscal year shall be
11 carried forward into the next fiscal year. Income accruing on
12 investments and deposits of the Fund shall be deposited into
13 the Fund. Moneys in the Fund shall be invested by the Treasurer
14 and administered by the Director of the Department of Public
15 Health.

16 (Source: P.A. 93-60, eff. 7-1-03.)