



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB5690

by Rep. Robyn Gabel

SYNOPSIS AS INTRODUCED:

New Act

Creates the Sugar-Sweetened Beverages, Syrups, and Powder Tax Law. Imposes a tax on distributors of bottled sugar-sweetened beverages, syrups, or powders. Provides that the tax is imposed at the rate of \$0.01 per ounce of bottled sugar-sweetened beverages sold or offered for sale to a retailer for sale in the State to a consumer. Provides that the distributor shall add the amount of the tax to the price of sugar-sweetened beverages sold to a retailer, and the retailer shall pass the amount of the tax through to the consumer. Requires those distributors to obtain permits. Contains provisions concerning the distribution of the proceeds. Effective January 1, 2015.

LRB098 17232 HLH 52325 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning revenue.

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

4 Section 1. Short title. This Act may be cited as the
5 Sugar-Sweetened Beverages, Syrups, and Powder Tax Law.

6 Section 5. Findings and purpose. The General Assembly finds
7 that:

8 Over the past 30 years, the obesity rate in the United
9 States has substantially increased. The prevalence of adult
10 obesity has more than doubled during that time. According to
11 statistics compiled by the Centers for Disease Control, nearly
12 28% of Illinois' adult residents in 2012 were considered obese
13 (body mass index (BMI) of 30 and above) and the rate was even
14 higher among African American (40.5%) and Hispanic (31.2%)
15 residents.

16 For children, the increase in obesity has been even more
17 dramatic, with the obesity rate among children ages 6-11 more
18 than quadrupling over the last four decades. The State of
19 Illinois is not immune to the problem. 21% of Illinois children
20 (age 0-17 years) are obese, the fourth worst rate in the
21 nation.

22 Obese children are at least twice as likely as non-obese
23 children to become obese adults. Research indicates that the

1 likelihood of an obese child becoming an obese adult increases
2 with age; adolescents who are obese have a greater likelihood
3 of being obese in adulthood, as compared to younger children.

4 The obesity epidemic has led to a dramatic increase in
5 obesity-related health conditions, such as type 2 diabetes,
6 asthma, and heart disease. These health conditions costs the
7 nation billions of dollars in health care costs and lost
8 productivity. Overweight and obesity account for \$147 billion
9 in health care costs nationally, or 9 percent of all medical
10 spending, per year. Obesity-related annual medical
11 expenditures in the State of Illinois are estimated at \$3.4
12 billion in 2003 dollars. Almost 60% of these costs are paid by
13 public funds through Medicare and Medicaid.

14 Numerous studies have established a link between obesity
15 and consumption of sweetened beverages such as soft drinks,
16 energy drinks, sweet teas and sports drinks. One meta-analysis
17 of eight studies examining the role of sugar-sweetened beverage
18 consumption on health found that consumption was significantly
19 associated with type 2 diabetes based on over 15,000 reported
20 cases of this condition. Some studies have shown increased risk
21 for heart disease independent of weight status, suggesting that
22 sugar-sweetened beverages are unhealthy even for people who
23 otherwise maintain a normal weight.

24 Sugar-sweetened beverages are the number one source of
25 added sugar in the American diet (46% of added sugars). A study
26 of a five-year period between 1999 and 2004 showed that

1 children and adolescents consumed 10-15% of their daily caloric
2 intake from sweetened beverages, which offer little or no
3 nutritional value and massive quantities of added sugars. For
4 example, a single 12-ounce can of soda contains the equivalent
5 of approximately 10 teaspoons of sugar; the American Heart
6 Association recommends that women consume no more than 6
7 teaspoons of added sugar per day, men consume no more than 9
8 teaspoons of added sugar per day, and children consume no more
9 than 4 teaspoons of added sugar a day.

10 A study found that a penny-per-ounce excise tax on
11 sugar-sweetened beverages in Illinois would result in a 23.5
12 percent reduction in sugar-sweetened beverage consumption,
13 185,127 fewer obese Illinoisans (a 9.3% reduction in youth
14 obesity and 5.2% reduction in adult obesity), 3,442 fewer
15 incidences of diabetes, and a \$150.8 million reduction in
16 obesity-related healthcare costs.

17 It is the intent of the Legislature, by adopting the
18 Sugar-Sweetened Beverages, Syrups and Powder Tax Law, creating
19 the Illinois Wellness Fund, and providing targeted prevention
20 and additional health care funding to Medicaid, to diminish the
21 human and economic costs of obesity in the State of Illinois.
22 This Act is intended to discourage excessive consumption of
23 Sugar-Sweetened Beverages by increasing the price of these
24 products and by creating a dedicated revenue source for
25 programs designed to prevent and treat obesity and for the
26 state Medicaid program to reduce the burden of related health

1 conditions.

2 Section 10. Definitions. For purposes of this Act:

3 "Advisory Board" means the Board established under Section
4 75.

5 "Bottle" means any closed or sealed container regardless of
6 size or shape, including, without limitation, those made of
7 glass, metal, paper, plastic, or any other material or
8 combination of materials.

9 "Bottled sugar-sweetened beverage" means any
10 sugar-sweetened beverage contained in a bottle that is ready
11 for consumption without further processing such as, without
12 limitation, dilution or carbonation.

13 "Caloric sweetener" means any caloric substance suitable
14 for human consumption that humans perceive as sweet and
15 includes, without limitation, sucrose, fructose, glucose, or
16 other sugars. "Caloric sweetener" excludes non-caloric
17 sweeteners. For purposes of this definition, "caloric" means a
18 substance which adds calories to the diet of a person who
19 consumes that substance.

20 "Consumer" means a person who purchases a sugar-sweetened
21 beverage for consumption and not for sale to another.

22 "Council" means the Council of State Agencies established
23 under Section 70.

24 "Department" means the Department of Revenue.

25 "Distributor" means any person, including manufacturers

1 and wholesale dealers, who receives, stores, manufactures,
2 bottles, or distributes bottled sugar-sweetened beverages,
3 syrup, or powder, for sale to retailers doing business in the
4 State, whether or not that person also sells such products to
5 consumers.

6 "Fund" means the Illinois Wellness Fund.

7 "Non-caloric sweetener" means any non-caloric substance
8 suitable for human consumption that humans perceive as sweet
9 and includes, without limitation, aspartame, saccharin,
10 stevia, and sucralose. "Non-caloric sweetener" excludes
11 caloric sweeteners. For purposes of this definition,
12 "non-caloric" means a substance that contains fewer than 5
13 calories per serving.

14 "Person" means any natural person, partnership,
15 cooperative association, limited liability company,
16 corporation, personal representative, receiver, trustee,
17 assignee, or any other legal entity.

18 "Place of business" means any place where sugar-sweetened
19 beverages, syrups, or powder are manufactured or received for
20 sale in the state.

21 "Powder" means any solid mixture of ingredients used in
22 making, mixing, or compounding sugar-sweetened beverages by
23 mixing the powder with any one or more other ingredients,
24 including without limitation water, ice, syrup, simple syrup,
25 fruits, vegetables, fruit juice, vegetable juice, carbonation
26 or other gas.

1 "Retailer" means any person who sells or otherwise
2 dispenses in the State a sugar-sweetened beverage to a consumer
3 whether or not that person is also a distributor as defined in
4 this Section.

5 "Sale" means the transfer of title or possession for
6 valuable consideration regardless of the manner by which the
7 transfer is completed.

8 "State" means the State of Illinois.

9 "Sugar-sweetened beverage" means any nonalcoholic
10 beverage, carbonated or noncarbonated, which is intended for
11 human consumption and contains any added caloric sweetener. As
12 used in this definition, "nonalcoholic beverage" means any
13 beverage that contains less than one-half of one percent
14 alcohol per volume. The term "sugar-sweetened beverage" does
15 not include:

16 (1) beverages sweetened solely with non-caloric
17 sweeteners;

18 (2) beverages consisting of 100% natural fruit or
19 vegetable juice with no added caloric sweetener; for
20 purposes of this paragraph, "natural fruit juice" and
21 "natural vegetable juice" mean the original liquid
22 resulting from the pressing of fruits or vegetables, or the
23 liquid resulting from the dilution of dehydrated natural
24 fruit juice or natural vegetable juice;

25 (3) beverages in which milk, or soy, rice, or similar
26 milk substitute, is the primary ingredient or the first

1 listed ingredient on the label of the beverage; for
2 purposes of this Act, "milk" means natural liquid milk
3 regardless of animal or plant source or butterfat content,
4 natural milk concentrate, whether or not reconstituted,
5 regardless of animal or plant source or butterfat content,
6 or dehydrated natural milk, whether or not reconstituted
7 and regardless of animal or plant source or butterfat
8 content;

9 (4) coffee or tea without added caloric sweetener;

10 (5) infant formula;

11 (6) medically necessary foods, as defined in the
12 federal Orphan Drug Act; and

13 (7) water to which neither carbonation nor any other
14 substance has been added, except for minerals and
15 non-caloric flavoring agents.

16 "Syrup" means a liquid mixture of ingredients used in
17 making, mixing, or compounding sugar-sweetened beverages using
18 one or more other ingredients including, without limitation,
19 water, ice, a powder, simple syrup, fruits, vegetables, fruit
20 juice, vegetable juice, carbonation, or other gas.

21 Section 15. Permit required.

22 (a) Every distributor doing business in the State shall
23 file with the Department an application for a permit to engage
24 in such business, for each place of business owned and operated
25 by the distributor before the sooner of January 1, 2015 or a

1 distributor's first acts which constitute the doing of business
2 in the State. An application for a permit shall be filed on
3 forms to be furnished by the Department for that purpose. An
4 application must be subscribed and sworn to by a person with
5 legal authority to bind the business. The application shall
6 identify the owners of the applicant, the applicant's mailing
7 address, the place of business to which the permit shall apply,
8 and the nature of the business in which engaged, and any other
9 information the Department may require for the enforcement of
10 this Act.

11 (b) Upon receipt of an application and any permit fee
12 hereafter provided for, the Department may issue to the
13 applicant, for the place of business designated, a
14 non-assignable permit, authorizing the sale of sugar-sweetened
15 beverages, syrups, and powder in the State. No distributor
16 shall sell any sugar-sweetened beverage, syrup, or powder
17 without first obtaining a permit to do so under this Act.
18 Permits issued pursuant to this Section shall expire on January
19 31 of each year and may be renewed annually.

20 (c) A permit may not be transferred from one person to
21 another, and a permit shall at all times be prominently
22 displayed in a distributor's place of business. The Department
23 may refuse to issue a permit to any Person previously convicted
24 of violations of this Act under such procedures as the
25 Department may establish by regulation.

1 Section 20. Tax imposed.

2 (a) There is hereby imposed an excise tax on every
3 distributor for the privilege of selling the products governed
4 by this Act in the State, calculated as follows:

5 (1) \$0.01 per ounce of bottled sugar-sweetened
6 beverages sold or offered for sale to a retailer for sale
7 in the State to a consumer.

8 (2) The tax on syrup and powder sold or offered for
9 sale to a retailer for sale in the State to a consumer,
10 either as syrup or powder or as a sugar-sweetened beverage
11 derived from that syrup or powder, is equal to \$0.01 per
12 ounce for each ounce of sugar-sweetened beverage produced
13 from that syrup or powder; for purposes of calculating the
14 tax, the volume of sugar-sweetened beverage produced from
15 syrup or powder shall be the larger of (i) the largest
16 volume resulting from use of the syrup or powder according
17 to any manufacturer's instructions or (ii) the volume
18 actually produced by the retailer, as reasonably
19 determined by the Department.

20 (3) The tax amounts set forth in this Section shall be
21 adjusted annually by the Department in proportion with the
22 Consumer Price Index: All Urban Consumers for All Items for
23 the Midwest Statistical Area, as reported by the United
24 States Bureau of Labor Statistics or any successor to that
25 index.

26 (b) A retailer that sells bottled sugar-sweetened

1 beverages, syrups, or powders in the State to a consumer, on
2 which the tax imposed by this Section has not been paid by a
3 distributor, is liable for the tax imposed in subsection (a) at
4 the time of sale to a consumer.

5 Section 25. Pass-through of the tax. A distributor shall
6 add the amount of taxes levied by this Act to the price of
7 sugar-sweetened beverages sold to a retailer, and the retailer
8 shall pass the amount of the tax through to the consumer as a
9 component of the final retail purchase price. The amount of the
10 taxes may be stated separately on all invoices, signs, sales or
11 delivery slips, bills, and statements that advertise or
12 indicate the price of those beverages.

13 Section 30. Report of sales and tax remittances.

14 (a) Any distributor or retailer liable for the tax imposed
15 by this Act shall, on or before the last day of March, June,
16 October and December of each year, return to the Department
17 under oath of a person with legal authority to bind the
18 distributor or retailer, a statement containing its name and
19 place of business, the quantity of sugar-sweetened beverages,
20 syrup, and powder subject to the excise tax imposed by this Act
21 sold or offered for sale in the 3 months immediately preceding
22 the month in which the report is due, and any other information
23 required by the Department, along with the tax due.

24 (b) The State Treasurer shall credit the proceeds of the

1 tax to the Illinois Wellness Fund and to the Illinois Medicaid
2 program, as described in Section 65.

3 Section 35. Records of distributors. Every distributor and
4 every retailer subject to this Act shall maintain for not less
5 than 2 years accurate records, showing all transactions that
6 gave rise, or may have given rise, to tax liability under this
7 Act. Such records are subject to inspection by the Department
8 at all reasonable times during normal business hours.

9 Section 40. Exemptions. The following shall be exempt from
10 the tax imposed by Section 20:

11 (1) Bottled sugar-sweetened beverages, syrups, and
12 powder sold by a distributor or a retailer expressly for
13 resale or consumption outside of the State.

14 (2) Bottled sugar-sweetened beverages, syrups, and
15 powder sold by a distributor to another distributor that
16 holds a permit issued under Section 15, if the sales
17 invoice clearly indicates that the sale is exempt. If the
18 sale is to a person who is both a distributor and a
19 retailer, the sale shall also be tax exempt and the tax
20 shall be paid when the purchasing distributor-retailer
21 resells the product to a retailer or a consumer. This
22 exemption does not apply to any other sale to a retailer.

23 Section 45. Penalties.

1 (a) Any distributor, retailer, or other person subject to
2 the provisions of this Act who fails to pay the entire amount
3 of tax imposed by this Act by the date that payment is due,
4 fails to submit a report or maintain records required by this
5 Act, does business in the State of Illinois without first
6 obtaining a permit as required by this Act, or violates any
7 other provision of this Act, or rules and regulations adopted
8 by the Department for the enforcement of this Act, shall be
9 guilty of a misdemeanor and shall also be liable for the
10 penalties set forth and incorporated by reference into this
11 section.

12 (b) Incorporation by reference. All of the provisions of
13 Sections 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, 5i, 5j, 6, 6a,
14 6b, 6c, 8, 9, 10, 11, 11a, and 12 of the Retailers' Occupation
15 Tax Act, and all applicable provisions of the Uniform Penalty
16 and Interest Act that are not inconsistent with this Act, apply
17 to Distributors of Sugar-Sweetened Beverages to the same extent
18 as if those provisions were included in this Act. References in
19 the incorporated sections of the Retailers' Occupation Tax Act
20 to retailers, to sellers, or to persons engaged in the business
21 of selling tangible personal property mean Distributors and/or
22 Retailers when used in this Act. References in the incorporated
23 sections to sales of tangible personal property mean sales of
24 Sugar-Sweetened Beverages, Syrups, and/or Powder when used in
25 this Act.

26 (c) In addition to any other penalty authorized by law, a

1 permit issued pursuant to Section 15 shall be suspended or
2 revoked if any court of competent jurisdiction determines, or
3 the Department finds based on a preponderance of the evidence,
4 after the permittee is afforded notice and an opportunity to be
5 heard, that the permittee, or any of the permittee's agents or
6 employees, has violated any of the requirements, conditions, or
7 prohibitions of this chapter.

8 (1) For a first violation of this Act within any
9 60-month period, the permit shall be suspended for 30 days.

10 (2) For a second violation of this Act within any
11 60-month period, the permit shall be suspended for 90 days.

12 (3) For a third violation of this Act within any
13 60-month period, the permit shall be suspended for one
14 year.

15 (4) For a fourth or subsequent violation of this Act
16 within any 60-month period, the license shall be revoked.

17 (d) A decision of the Department under this Section is a
18 final administrative decision and is subject to review under
19 the Administrative Review Law.

20 Section 50. Unpaid taxes a debt. All taxes and penalties
21 imposed under the provisions of this Act remaining due and
22 unpaid shall constitute a debt to the State, which may be
23 collected from the person owing same by suit or otherwise.

24 Section 55. Records of Department. At the end of each

1 month, the State Auditor General shall check the books and
2 records of the Department and its accounts with any bank or
3 banks, and shall verify the amounts collected pursuant to this
4 Act and paid into the Illinois Wellness Fund. Any duty herein
5 required of the State Auditor General may be performed by any
6 duly trained clerk in his office, designated by the State
7 Auditor General for that purpose.

8 Section 60. Revenue distribution and establishment of
9 Illinois Wellness Fund. The Illinois Wellness Fund is hereby
10 created as a special fund in the State treasury. Fifty percent
11 of the moneys collected pursuant to the taxes imposed by
12 Section 20 and all interest on those moneys, shall be paid into
13 the Illinois Wellness Fund. The remaining 50% of the moneys
14 collected pursuant to the taxes imposed by Section 20 and all
15 interest on those moneys, shall be paid to the Illinois
16 Medicaid program. All costs to implement this Act shall be paid
17 for prior to distribution of the funds to the Illinois Wellness
18 Fund and Medicaid program.

19 Section 65. Governance and expenditure of Illinois
20 Wellness Fund.

21 (a) Except as otherwise provided in subsection (b), all
22 moneys in the Illinois Wellness Fund shall be used as follows:

23 (1) Up to 5% of the moneys collected into the Fund each
24 year shall be dedicated to administration of the Fund by

1 the Office of the Governor, the Illinois Department of
2 Public Health, the State Board of Education, and the
3 Governance Board.

4 (2) At least 3% but not more than 5% of the moneys
5 collected into the Fund shall be dedicated to evaluation of
6 the impact of the Act on the health and wellness of
7 Illinoisans. Evaluation of the Act shall be conducted by an
8 independent evaluator selected by the Department of Public
9 Health in consultation with the Council and Advisory Board.
10 The evaluation shall encompass the impact of the Wellness
11 Fund and the effect of the tax on the consumption of
12 sugar-sweetened beverages. The evaluator shall report
13 annually to the Council of State Agencies and the Advisory
14 Board on the progress and results of the evaluation.

15 (3) At least 3% but not more than 5% of the moneys
16 collected into the Fund shall be dedicated to providing
17 technical assistance to and statewide coordination of
18 strategies and activities of recipients of funding from the
19 Fund.

20 (4) The remainder of the moneys in the Fund shall be
21 used for the following purposes:

22 (A) school health and wellness, including
23 increased consumption of healthy foods, increased
24 physical activity and physical education, increased
25 health education, improved health, mental health, oral
26 health, and social services in schools, and school

1 facility improvements that support health;

2 (B) public health leadership and infrastructure
3 for obesity and chronic disease prevention; this
4 funding shall support leadership, coordination,
5 technical assistance, quality improvement, and
6 training for programs or coalitions led by health
7 departments, associations, or institutes that use
8 educational, environmental, policy, and other
9 evidence-based public health approaches that achieve
10 the following goals: eliminating racial, ethnic, and
11 socioeconomic disparities in obesity and chronic
12 diseases; improving access to and consumption of
13 healthy, safe, and affordable foods; reducing access
14 to and consumption of calorie-dense, nutrient-poor
15 foods; encouraging physical activity; decreasing
16 sedentary behavior; raising awareness about the
17 importance of nutrition and physical activity to
18 chronic disease prevention; supporting local food
19 systems production and distribution; supporting
20 clinical preventive services;

21 (C) oral health improvement, including increased
22 access to oral health education, dental sealants for
23 children, and use of community prevention and health
24 education strategies that reduce risk factors for oral
25 and pharyngeal cancers;

26 (D) community nutrition and access to healthy

1 foods, including nutrition education, healthy cooking
2 programs, healthy vending, healthy food procurement,
3 education regarding shopping for healthy foods, and
4 increasing access to healthy foods;

5 (E) physical activity in communities, including
6 active transportation, community walkability and
7 bike-ability initiatives, multi-use trails, joint-use
8 agreements, safe routes to schools, educational
9 programs that promote physical activity, environmental
10 changes that increase physical activity;

11 (F) worksite wellness, including promotion of
12 nutrition, physical activity and preventive services
13 in worksites, workplace policies and environmental
14 changes that support employee wellness;

15 (G) local food systems, including promotion of
16 access to and consumption of local foods,
17 farm-to-school and farm-to-institution programs,
18 healthy food procurement, community gardens, , urban
19 agriculture projects, community-supported agriculture
20 programs, farmers markets, food hubs, beginning farmer
21 training programs, and farm stands;

22 (H) regional public health hubs as described in the
23 Illinois Alliance for Health State Healthcare
24 Innovations Plan.

25 (b) In the first year after the Fund is established, the
26 allocation shall be as follows:

1 (1) 10% for administration, evaluation and technical
2 support of the Fund, as provided in item (1) of subsection
3 (a);

4 (2) 20% for school health and wellness;

5 (3) 20% for public health leadership and
6 infrastructure for obesity and chronic disease prevention;

7 (4) 10% for oral health;

8 (5) 10% for community nutrition and access to healthy
9 foods;

10 (6) 10% for physical activity in communities;

11 (7) 10% for local food systems;

12 (8) 5% for worksite wellness; and

13 (9) 5% for regional health hubs.

14 (c) All moneys in the Illinois Wellness Fund shall be
15 expended only for the purposes expressed in this Act and shall
16 be used only to supplement existing levels of service and not
17 to supplant current federal, State, or local funding for
18 existing levels of services as provided in fiscal year 2014.
19 Entities that are eligible to receive moneys from the Fund
20 include:

21 (1) local, regional, and State governments or
22 governmental departments;

23 (2) non-profit organizations;

24 (3) school districts and schools;

25 (4) federally Qualified Health Centers, community
26 health centers, and organizations which operate a

1 school-based health center certified by the Illinois
2 Department of Public Health;

3 (5) hospitals;

4 (6) Illinois farms producing primarily fruits,
5 vegetables and tree nuts for direct human consumption by
6 Illinois residents; and

7 (7) policy, research, or training institutes or
8 centers.

9 Section 70. Illinois Wellness Fund; governance;

10 (a) The Illinois Wellness Fund shall be governed by a
11 Council of State Agencies with input from a multi-sector
12 Advisory Board. The Council of State Agencies shall be
13 comprised of one representative from each of the following
14 Departments: the Department of Public Health, the Department of
15 Human Services, State Board of Education, the Department on
16 Aging, the Department of Transportation, and the Department of
17 Agriculture.

18 (b) The Council's functions shall include:

19 (1) distribution of the Illinois Wellness Fund monies
20 to eligible entities each year, including:

21 (A) allocation of funds for staff and resources to
22 State agencies responsible for administering the
23 Wellness Fund, including a Health in All Policies
24 Coordinator to support the Council of State Agencies
25 and Advisory Board;

1 (B) selection of and allocation to eligible
2 entities, including organizations, associations, and
3 universities, that provide technical assistance to
4 request for proposal grantees and evaluation of the
5 impact of the Act;

6 (C) distribution of one-half of the funds
7 allocated for public health leadership and
8 infrastructure under Section 70 directly to Local
9 Health Departments via an allocation formula developed
10 by the Department of Public Health for the purpose of
11 providing local coordination of Illinois Wellness Fund
12 grantees within their jurisdiction, if any, and for
13 local leadership of educational, environmental,
14 policy, and other evidence-based public health
15 approaches;

16 (D) distribution of the remaining funds to
17 eligible entities as recommended by the Advisory Board
18 based on a request for proposal process or processes;
19 and

20 (E) to advise on the selection of evaluators and
21 provide input on the evaluation design, goals, and
22 methods, at least annually receive and review a
23 progress report on the results of the evaluation.

24 (2) Submission of a report to the General Assembly
25 every 3 years on the allocation of the funds and summary
26 results of the impact evaluation of the wellness fund and

1 the tax.

2 Section 75. Expenditures for the Illinois Medicaid
3 Program. Fifty percent of all moneys collected from the tax
4 shall be paid to the Illinois Medicaid program into a Medicaid
5 Fund to include payment for the following services:

6 (1) restoring adult dental services and expand
7 services to include prevention services;

8 (2) providing payments for medical nutrition therapy,
9 care coordination, weight management programs, and other
10 multi-disciplinary obesity treatment programs for
11 overweight and obese patients, including coverage for
12 services from dietitians, social workers, psychologists,
13 and pharmacists;

14 (3) pilot program to cover community-based physical
15 activity and nutrition programs for obese children and
16 adults to change health behaviors (including, but not
17 limited to, cooking classes for obese patients, assistance
18 learning how to shop for healthy foods, participation in
19 the evidence-based Diabetes Prevention Program, Chronic
20 Disease Self-Management Program, and Diabetes
21 Self-Management Program);

22 (4) funding coverage for all US Preventive Services
23 Task Force A & B Recommendations; and

24 (5) supporting and expanding language access services
25 for Medicaid recipients.

1 Section 80. Rulemaking. The Department of Public Health,
2 the State Board of Education, and the Department of Revenue may
3 adopt rules to implement the provisions of this Act.

4 Section 97. Severability. The provisions of this Act are
5 severable under Section 1.31 of the Statute on Statutes.

6 Section 99. Effective date. This Act takes effect January
7 1, 2015.