

1 AN ACT concerning public health.

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 adding Section 2310-371 as follows:

7 (20 ILCS 2310/2310-371 new)

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

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

11 (1) that obesity is a serious medical problem  
12 affecting 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  
18 mellitus 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.

24 (b) Definition of "obesity". In this Section, "obesity"  
25 means the term as it is defined by the National Institutes of  
26 Health including, but not limited to, the condition in which  
27 a person's body mass index is at least 30 kilograms per meter  
28 squared, or the condition in which a person's body mass index  
29 is at least 27 kilograms per meter squared and the person  
30 suffers from one or more of the following conditions or  
31 diseases: (i) type II diabetes; (ii) impaired glucose

1 tolerance; (iii) hyperinsulinemia; (iv) dyslipidemia; (v)  
2 hypertension; (vi) cardiovascular disease; (vii)  
3 cerebrovascular disease; (viii) osteoarthritis of the hips or  
4 knees; (ix) sleep apnea; (x) gastric reflux disease; or (xi)  
5 gallbladder disease.

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

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

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

24 (d) Obesity Study and Prevention Fund. The Obesity Study  
25 and Prevention Fund is established in the State treasury.  
26 Moneys in the Fund shall be earmarked for use by the  
27 Department to conduct or support research regarding obesity  
28 and shall be expended in accordance with the provisions of  
29 this Section. Any Fund balance remaining at the end of a  
30 fiscal year shall be carried forward into the next fiscal  
31 year. Income accruing on investments and deposits of the Fund  
32 shall be deposited into the Fund. Moneys in the fund shall be  
33 invested by the Treasurer and administered by the Director of  
34 the Department of Public Health.

1           Section 10. The State Finance Act is amended by adding  
2    Section 5.595 as follows:

3           (30 ILCS 105/5.595 new)

4           Sec. 5.595. Obesity Study and Prevention Fund.

5           Section 99. This Act takes effect on July 1, 2003.