

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

As Engrossed: H3/3/03

A Bill

HOUSE BILL 1583

5 By: Representatives Bradford, Biggs, Cleveland, Milligan
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7

For An Act To Be Entitled

9 AN ACT TO CREATE A CHILD HEALTH ADVISORY
10 COMMITTEE; TO COORDINATE STATEWIDE EFFORTS TO
11 COMBAT CHILDHOOD OBESITY AND RELATED ILLNESSES;
12 TO IMPROVE THE HEALTH OF THE NEXT GENERATION OF
13 ARKANSANS; AND FOR OTHER PURPOSES.
14

Subtitle

15 AN ACT TO CREATE A CHILD HEALTH ADVISORY
16 COMMITTEE.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code Title 20, Chapter 7, Subchapter 1 is amended
23 to add three (3) additional sections to read as follows:

24 6-7-117. Committee - Creation.

25 (a) There is created a Child Health Advisory Committee to consist of
26 fourteen (14) members.

27 (b)(1) The Director of the Department of Health shall appoint:

28 (A) One (1) member to represent the Department of Health;

29 (B) One (1) member to represent the Arkansas Dietetic
30 Association;

31 (C) One (1) member to represent the Arkansas Academy of
32 Pediatrics;

33 (D) One (1) member to represent the Arkansas Academy of
34 Family Practice;

35 (E) One (1) member to represent the Arkansas Association
36 for Health, Physical Education, Recreation, and Dance;



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1 (F) One (1) member to represent jointly the Arkansas Heart
2 Association, the American Cancer Society, and the American Lung Association;

3 (G) One (1) member to represent the Arkansas School of
4 Public Health of the University of Arkansas for Medical Sciences;

5 (H) One (1) member to represent the Arkansas Center for
6 Health Improvement; and

7 (I) One (1) member to represent the Arkansas Advocates for
8 Children and Family.

9 (2) The Director of the Department of Education shall appoint:

10 (A) One (1) member to represent the Department of
11 Education;

12 (B) One (1) member to represent the Arkansas School Food
13 Service Association;

14 (C) One (1) member to represent the Arkansas School Nurses
15 Association;

16 (D) One (1) member to represent the Arkansas Association
17 of Education Administrators; and

18 (E) One (1) member to represent the Arkansas Parent
19 Teacher Association.

20 (c) Terms of committee members shall be three (3) years except for the
21 initial members whose terms shall be determined by lot so as to stagger terms
22 to equalize as nearly as possible the number of members to be appointed each
23 year.

24 (d) If a vacancy occurs, the officer who made the original appointment
25 shall appoint a person who represents the same constituency as the member
26 being replaced.

27 (e) The committee shall elect one (1) of its members to act as chair
28 for a term of one (1) year.

29 (f) A majority of the members shall constitute a quorum for the
30 transaction of business.

31 (g) The committee shall meet at least monthly.

32 (h) The Department of Health shall provide office space and staff for
33 the committee.

34 (i) Members of the committee shall serve without pay but may receive
35 expense reimbursement in accordance with § 25-16-902, if funds are available.

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1 6-7-118. Powers and duties.

2 (a) The Child Health Advisory Committee shall meet at least once per
3 month and make recommendations to the State Board of Education and the State
4 Board of Health consistent with the intent and purpose of §§ 6-7-117 through
5 6-7-119.

6 (b) The Committee shall develop nutrition and physical activity
7 standards and policy recommendations with consideration of the following:

8 (1) Foods sold individually in school cafeterias but outside the
9 regulated National School Lunch Program;

10 (2) Competitive foods as defined by the United States Department
11 of Agriculture, as in existence on January 1, 2003, and offered at schools
12 typically through vending machines, student stores, school fundraisers, food
13 carts, or food concessions;

14 (3) The continuing professional development of food service
15 staff;

16 (4) The expenditure of funds derived from competitive food and
17 beverage contracts;

18 (5) Physical education and activity;

19 (6) Systems to ensure the implementation of nutrition and
20 physical activity standards; and

21 (7) The monitoring and evaluating or results and reporting of
22 outcomes.

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24 6-17-119. Nutrition and physical activity standards - Implementation.

25 (a) The State Board of Education, after having consulted the committee
26 and the State Board of Health, shall promulgate appropriate rules and
27 regulations to ensure that nutrition and physical activity standards are
28 implemented to provide students with the skills, opportunities, and
29 encouragement to adopt healthy lifestyles.

30 (b) Beginning with the 2003-2004 school year, the Department of
31 Health, in consultation with the Department of Education, shall:

32 (1) Employ one (1) doctoral level person to be housed within the
33 Department of Health as a community health promotion specialist to plan,
34 develop, implement, and evaluate pilot or model programs to support schools
35 and communities in nutrition and physical activity;

36 (2) Employ one (1) statewide health promotion consultant to be

1 housed within the Department of Education;

2 (3) Employ one (1) person as a community health promotion
3 specialist to support implementation of pilot or model programs in schools
4 and communities in nutrition and physical activity in several distinct
5 geographical areas of the state, if funds are available; and

6 (4) Not use more than four percent (4%) of the annual Department
7 of Health Master Settlement Agreement funds for the salaries or programs
8 created under this subsection (b).

9 (c) Beginning with the 2003-2004 school year, every school district
10 shall:

11 (1) Prohibit, for elementary school students, in-school access
12 to vending machines offering food and beverages;

13
14 (2) Require schools to include as part of the annual report to
15 parents and the community the amounts and specific sources of funds received
16 and expenditures made from competitive food and beverage contracts;

17 (3) Require school to include as part of the student report card to
18 parents an annual body mass index percentile by age for each student; and

19 (4) Require schools to annually provide parents with an
20 explanation of the possible health effects of body mass index, nutrition and
21 physical activity.

22 (d) Beginning with the 2004-2005 school year, the Department of
23 Education shall:

24 (1) Begin the implementation of standards developed by the
25 committee and approved by the Department of Education; and

26 (2) Annually monitor and evaluate the implementation and
27 effectiveness of the nutrition and physical education standards.

28 (e) Beginning with the 2004-2005 school year, every school district
29 shall:

30 (1) Convene a school nutrition and physical activity advisory
31 committee that shall include members from school district governing boards,
32 school administrators, food service personnel, teacher organizations,
33 parents, students, and professional groups such as nurses and community
34 members, to:

35 (A) Help raise awareness of the importance of nutrition
36 and physical activity; and

1 (B) Assist in the development of local policies that
2 address issues and goals, including, but not limited to, the following:

3 (i) Assisting with the implementation of nutrition
4 and physical activity standards developed by the committee with the approval
5 of the Department of Education and the State Board of Health;

6 (ii) Integrating nutrition and physical activity
7 into the overall curriculum;

8 (iii) Ensuring that professional development for
9 staff includes nutrition and physical activity issues;

10 (iv) Ensuring that students receive nutrition
11 education and engage in healthful levels of vigorous physical activity;

12 (v) Improving the quality of physical education
13 curricula and increasing training of physical education teachers;

14 (vi) Enforcing existing physical education
15 requirements; and

16 (vii) Pursuing contracts that both encourage healthy
17 eating by students and reduce school dependence on profits from the sale of
18 foods of minimal nutritional value;

19 (2) Begin the implementation of standards developed by the
20 committee with the approval of the Department of Education and the State
21 Board of Health; and

22 (3) Require that goals and objectives for nutrition and physical
23 activity be incorporated into the annual school planning and reporting
24 process.

25 (f) The Department of Education and the Department of Health shall
26 report annually on progress in implementing nutrition and physical education
27 standards to the cochairs of the House and Senate Interim Committees on
28 Public Health, Welfare, and Labor.

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30 */s/ Bradford, et al*
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