

AN ACT concerning public health.

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

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

(20 ILCS 2310/2310-371 new)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(30 ILCS 105/5.595 new)

Sec. 5.595. Obesity Study and Prevention Fund.

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