

SENATE BILL NO. 25

INTRODUCED BY C. KAUFMANN

BY REQUEST OF THE CHILDREN, FAMILIES, HEALTH, AND HUMAN SERVICES INTERIM COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR THE MONITORING OF CHILDHOOD BODY MASS INDEX TRENDS AT THE STATE LEVEL; PROVIDING FOR COORDINATION BETWEEN THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES, THE OFFICE OF PUBLIC INSTRUCTION, LOCAL AND TRIBAL PUBLIC HEALTH AGENCIES, AND SCHOOL DISTRICTS TO ACCOMPLISH THE MONITORING; PROVIDING FOR DISCRETIONARY BODY MASS INDEX MEASURING AND AGGREGATE REPORTING BY LOCAL AND TRIBAL PUBLIC HEALTH AGENCIES AND SCHOOL DISTRICTS; PROVIDING A PARENT OPT-OUT PROVISION; DEVELOPING PROCEDURES FOR THE GATHERING AND ACCEPTANCE OF AGGREGATE BODY MASS INDEX DATA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

WHEREAS, the U.S. Surgeon General has called obesity "the greatest threat to public health today"; and

WHEREAS, being overweight or obese can lead to chronic health problems such as type 2 diabetes and cardiovascular disease; and

WHEREAS, obesity rates among U.S. school-aged children have tripled in the past two decades; and

WHEREAS, children who are overweight or obese may suffer lower academic performance as a consequence; and

WHEREAS, being overweight or obese at a young age greatly increases the likelihood of obesity and related disease throughout adulthood; and

WHEREAS, measuring and monitoring the number of Montana children who are overweight or obese is an important first step in addressing this national and state crisis and can be accomplished using the measuring tool known as body mass index.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1. Definitions.** As used in [sections 1 through 3], the following definitions apply:

(1) "Aggregate body mass index data" means the total of all body mass screening data gathered during



1 a specified period of time.

2 (2) "Body mass index" means an approved assessment method for determining a healthy weight range  
3 based on a child's height, age, and gender.

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5 **NEW SECTION. Section 2. Department to accept and analyze aggregate body mass index data.**

6 (1) The department, in coordination with the office of public instruction, is authorized to accept aggregate body  
7 mass index data from local public health agencies, tribal public health agencies under 50-1-106, and school  
8 districts as defined in 20-6-101 to be used in statewide reports to analyze state-level trends regarding childhood  
9 obesity.

10 (2) The department shall develop a procedure for accepting aggregate body mass index data, including  
11 but not limited to:

12 (a) the criteria for the age or grade level of the school-based population to be monitored;

13 (b) the protocols for taking accurate body mass index measurements;

14 (c) the provision of standards for maintaining confidentiality and for accurate and sensitive measuring  
15 and recording of local aggregate body mass index data;

16 (d) the provision of standards for collecting local aggregate body mass index data; and

17 (e) the provision of individual parent options for nonparticipation in the aggregate body mass index  
18 assessment process.

19 (3) The department shall determine at least biennially the amount and type of local aggregate body mass  
20 index data necessary to conduct state-level analysis of trends regarding childhood obesity.

21 (4) The department may reject local aggregate body mass index data for failure of reporting jurisdictions  
22 to follow the procedure set forth in subsection (2).

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24 **NEW SECTION. Section 3. Reporting.** (1) Local and tribal public health agencies and school districts  
25 may submit to the department aggregate body mass index data using the procedure developed by the department  
26 pursuant to [section 2].

27 (2) The department shall report the state-level analysis of aggregate body mass index data to the  
28 participating local and tribal public health agencies and school districts and to any member of the public who  
29 requests the analysis.

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