S T A T E O F N E W Y O R K

7026

I N S E N A T E

March 8, 2010

Introduced by Sen. ESPADA -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to directing the commissioner of health to disseminate education materials regarding overweight and underweight children

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 2599-d of the public health law, as amended by section 88 of part B of chapter 58 of the laws of 2005, is amended to read as follows:

S 2599-d. Powers of commissioner. 1. The commissioner may administer directly or through contract, within the amount of funds allocated and within amounts appropriated pursuant to paragraph (k) of subdivision one of section twenty-eight hundred seven-v of this chapter, the childhood obesity prevention program.

2. The commissioner shall also make grants, within the amount of funds available therefor, for community-based and school-based projects targeted to high-risk populations and communities to implement the provisions of this title.

3. THE COMMISSIONER SHALL ALSO PREPARE AND DISSEMINATE, WITHIN THE AMOUNT OF FUNDS AVAILABLE THEREFOR, EDUCATIONAL MATERIALS FOR PARENTS AND CHILDREN ABOUT THE HEALTH RISKS WHEN CHILDREN BECOME OVERWEIGHT OR UNDERWEIGHT. SUCH INFORMATION SHALL INCLUDE SOURCES OF ADDITIONAL INFORMATION AND CITATIONS TO THE DEPARTMENT'S WEBSITE, AS WELL AS ANY OTHER WEBSITES PROVIDING CREDIBLE INFORMATION ON THE SUBJECT. THE LOCAL SCHOOL DISTRICTS SHALL DISTRIBUTE, EACH SCHOOL YEAR, THE EDUCATIONAL MATERIALS PROVIDED BY THE DEPARTMENT, TO ALL STUDENTS ATTENDING SCHOOLS WITHIN THE DISTRICT. THE LOCAL SCHOOL DISTRICT SHALL FURTHER PROVIDE SUCH EDUCATIONAL MATERIALS DIRECTLY TO THE PARENTS OR GUARDIAN OF ANY CHILD WHO TESTS AT OR ABOVE THE EIGHTY-FIFTH PERCENTILE OF BODY MASS INDEX, AS DEFINED IN SECTIONS NINE HUNDRED THREE AND NINE HUNDRED FOUR OF THE EDUCATION LAW, FOR HIS OR HER AGE OR AT OR BELOW THE FIFTH PERCENTILE OF BODY MASS INDEX FOR HIS OR HER AGE.

S 2. This act shall take effect on the first of September next succeeding the date on which it shall have become a law.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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