

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 1886

H.P. 1320

House of Representatives, May 2, 2007

An Act To Assess Childhood Obesity Trends in Maine

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative CAIN of Orono.
Cosponsored by Senator MITCHELL of Kennebec and
Representatives: CRAVEN of Lewiston, FAIRCLOTH of Bangor, HARLOW of Portland,
MILLER of Somerville, STRANG BURGESS of Cumberland.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 20-A MRSA §6455** is enacted to read:

3 **§6455. Body mass index assessment**

4 All public schools and approved private schools shall institute a screening program to
5 collect either the height and weight by grade and gender or body mass data by grade and
6 gender of students in kindergarten and grades 1, 3, 5, 7 and 9, referred to in this section as
7 "the screening program."

8 **1. Phase-in of screening program.** The screening program must be phased in for
9 the following grades based on the following schedule:

10 A. By August 31, 2008, the screening program must be in effect in kindergarten and
11 grade 5;

12 B. By August 31, 2009, the screening program must be in effect in grades 1 and 3;
13 and

14 C. By August 31, 2010, the screening program must be in effect in grades 7 and 9.

15 **2. Analysis and reporting of height and weight and body mass data by grade**
16 **and gender.** All schools subject to this section shall submit the data collected from the
17 screening program to the department. The department, in collaboration with the
18 Department of Health and Human Services, Maine Center for Disease Control and
19 Prevention, shall analyze the data submitted by schools and report on the data to the
20 Legislature by December 15, 2009 and annually thereafter.

21 **3. Funding.** The State shall provide funding for the screening program to the extent
22 that federal funds do not cover the costs of the screening program. The funding must
23 include support for training of screeners and screening equipment.

24 **4. Exception.** A student may not be screened for height, weight or body mass when
25 that student's parent or guardian demonstrates by a written statement a religious, moral,
26 philosophical or other personal objection.

27 **5. Rules.** The department shall adopt rules establishing the requirements for
28 screening of height and weight or body mass. The rules must specify the confidentiality
29 provisions for the screening, the training requirements for screening personnel, the data to
30 be reported and the process for reporting it. Rules adopted pursuant to this subsection are
31 routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

32

SUMMARY

33 This bill requires confidential assessments of either height and weight or body mass
34 of all students, by gender, in kindergarten and grades 1, 3, 5, 7 and 9 in public schools
35 and approved private schools and analysis and reporting of this data. The program is
36 phased in over a 3-year period, beginning August 31, 2008. The Department of
37 Education, in collaboration with the Department of Health and Human Services, Maine

- 1 Center for Disease Control and Prevention, is required to submit an annual report to the
- 2 Legislature regarding the assessments.