Curbing Obesity, Smoking Remain Top Priorities

State legislators also address HIV, STDs, pollution, other public health issues

Judging by the number of states taking action and the volume of bills introduced, efforts to curb obesity and limit smoking in public places remain top public health legislative priorities for state legislators. That’s according to a report that tracked state legislative activity between January and June 2007 on a wide range of public health issues.

A similar report in 2006 showed the same two issues at the top of state legislative public health agendas. Both reports also documented activity on many other issues, including HIV/AIDS, sexually transmitted diseases, environmental public health issues, diabetes, wellness and emergency preparedness.

Prepared for the Healthy States Initiative by the Health Policy Tracking Service, a service of Thomson West, the report tracks dozens of public health issues. It is available online at http://www.healthystates.csg.org.

Curbing Obesity

Legislators stepped up efforts to address obesity, introducing more than 300 bills and resolutions aimed at healthier nutritional standards, increased physical activity and a variety of other strategies to attack skyrocketing obesity rates. Forty-three states considered obesity-related measures. At least 27 bills and resolutions in 19 states were enacted. Examples include:

- **School nutrition.** Six states—Colorado, Connecticut, Illinois, Oklahoma, Rhode Island and Virginia—passed laws or resolutions to ensure that students receive healthy school lunches. In all, legislators proposed 100 bills that establish nutritional standards for food and beverages sold in school, increase access to fresh produce or restrict access to junk food products in school, and encourage state and local education officials to take action.

- **Health and physical activity.** Legislators introduced more than 125 bills and resolutions related to school health and physical education programs; 15 were approved. Most were aimed at strengthening physical education requirements in schools or promoting physical fitness.

- **Medicaid and insurance coverage.** Seven states considered bills that would

It’s Not Too Late to Vaccinate for the Flu

More should get flu vaccine

If this turns out to be an average flu season, somewhere between 5 percent and 20 percent of Americans will get the flu. About 36,000 people die from the flu each year, and more than 200,000 are hospitalized due to complications from it. That’s a significant number when you consider about 27,000 Americans die annually from prostate cancer and 41,000 die each year from breast cancer.

The flu is a highly contagious viral infection that spreads easily. Although most people will just have to suffer through a few miserable days, it can be particularly deadly for the elderly and young children, those

When a snowstorm blows into Vermont, most Vermonter take it in stride. The region I represent in the Vermont State House is the farthest north one can go without being in Quebec. It’s a land of rolling green mountains, forests, dairy farms and, yes, most years, snowstorms. Snowstorms give us something to talk about, and they bring a bit of excitement to the wintertime doldrums.

I attended a Healthy States Forum in New Orleans Aug. 23–25. Those three days helped change the way I think about many issues, especially about community wellness.

While in New Orleans, I learned something that no newspaper or television news can really get across—the true magnitude of a nightmare that, on Aug. 29, 2005, swept in off the Gulf Coast—Hurricane Katrina. It’s unlikely we’ll ever have a snowstorm in Vermont to compare to the destructive force of Hurricane Katrina, but I’ve gained a new wariness about the potential destructive power of nature. The organizers of the forum made sure we had the opportunity to tour the disaster zone with members of the Louisiana National Guard serving as our guides.

Two years following Hurricane Katrina, portions of the city are flourishing. Yet other parts are still in ruins.

The most inspiring person during our tour was Doris Hicks, the principal of the Dr. Martin Luther King Jr. Charter School for Science and Technology located in the hard-hit Lower Ninth Ward of the city. The school lost students and parents of students to the storm, yet Hicks exudes optimism. Her school was filled with upwards of 15 feet of water during and after the storm. The school is now filled with children and laughter.

Hicks is confident that the Lower Ninth Ward and the rest of New Orleans will overcome the nightmare of Katrina. The tour taught me another lesson: People are resilient, tend to be optimistic and want to rebuild. As Vermonters prepare for the first big snowstorm of the season to blow in—a storm I might watch a little more carefully this year—I will continue to use the information I learned at the forum to help promote wellness and health in Vermont—the Green Mountain State. And I’ll use my memories of the hurricane-ravaged sections of New Orleans to help remind Vermonters that all Americans, even Vermonters, must be prepared for a disaster to strike at any moment.

People wishing to contact me can call me at (802) 334-5920 or e-mail me at northlandjournal@gmail.com. Or to read a longer article and to see some great photos of my trip through the disaster zone, check out my Web site at http://www.northlandjournal.com

—Scott Wheeler is a member of the Vermont House of Representatives.
“... Looking at innovation and collaboration in wellness is essential to promoting and supporting healthy citizens in all of our states. With a focus on coordinated school health programs for our preschool and higher education systems, I believe we can address lowering some of the risk behaviors for our youth through prevention efforts aimed at both physical and mental health.”

—Rep. Nancy Todd
Colorado

“Bringing ideas back to my state is what energizes me about CSG meetings. Inspired by what I learned at this summer’s meetings in Hilton Head and New Orleans, I’ve already requested a bill draft on cyber bullying; had lengthy conversations with state agency directors about coordinated school health; and included a presentation on Utah’s Gold Medal Schools on the next agenda of the state Advisory Council on Fitness and Wellness. I can hardly wait to see what ideas I bring home from the next meeting!”

—Sen. Valerie Wiener
Nevada

“Visiting the Martin Luther King Jr. Charter School and preschool was a bright point of my trip to New Orleans. Re-opening schools shows a will to stay and rebuild. Schools are an anchor in the community and an investment in education is an investment in a healthier society.

“The Council of State Governments partnership initiative has afforded legislators and administrators from across the nation to network, engage, embrace and implement programs that will create healthy states.”

—Rep. Greg Porter
Indiana
Let’s say you’re a state legislator from Illinois and you’re considering introducing legislation designed to increase opportunities for physical activity in the state. To convince your colleagues of the bill’s importance, you’ll want to present facts about the activity level of your state’s residents.

Where can you find this data?

### CDC’s State Data

A Centers for Disease Control and Prevention Web site offers state-specific data not only on levels of physical activity, but also on such issues as asthma, diabetes, health care access, alcohol use, high blood pressure, obesity, cancer screening, HIV/AIDS, and tobacco use.

Known as the BRFSS, the Behavioral Risk Factor Surveillance System—at [http://www.cdc.gov/brfss/index.htm](http://www.cdc.gov/brfss/index.htm)—contains the results of an ongoing telephone health survey conducted by the health department in each state. The extensive, standardized survey has tracked health conditions and risk behaviors in the United States since 1984.

### Interactive Databases

The BRFSS contains five interactive databases. Clicking on “State Prevalence Data” allows you to view state-level risk factor charts for a given year.

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**Become a Public Health Champion**

Legislators urged to play active role in state health efforts

Legislators have a critical role to play in the health of their state, Sen. Leticia Van de Putte of Texas told a group of 30 fellow state legislators at the Public Health Roundtable with the Centers for Disease Control and Prevention June 17–19 in Atlanta.

“Many people think when you’re legislators, you have to have a background in health to be a public health champion,” said Van de Putte, a registered pharmacist and a longtime advocate of public health. “... Nothing is further from the truth.”

Legislators at the conference learned how to become more effective public health champions and how the CDC can help them. Van de Putte, Sen. Richard Moore of Massachusetts and South Carolina Health Commissioner C. Earl Hunter spoke at a session about how and why legislators should get involved in public health issues in their states.

Moore said health and wellness issues touch everybody’s life and all legislative matters, from economic development to budgets. Even in Massachusetts, which gained national attention when it became the first state to require all residents to have health insurance, getting health legislation passed can take a lot of time and effort. For instance, Moore said it took eight years to decriminalize possession of syringes.

“You need to develop the business case for doing something,” he said. “Because none of us are really flush with money, we have to be able to show there’s benefit to the investments we make in health care— not only in investment, but in quality of life.

“The three things I think I’ve learned … is that you need to be persistent. You’re not often going to get it done the first time. Find out what the objections are … what are the problems? Build a consensus. And then, also understand that there’ll be politics,” he said. “(Former U.S. House of Representatives) Speaker Tip O’Neill said all politics is local; well all public health is local too.”

Hunter noted that people rarely think about public health until something goes wrong. “I constantly tell the staff we’re the offensive line. Nobody ever knows who you are until the quarterback gets sacked. If something bad happens, you get blamed,” he said.

Hunter urged legislators to seek out their public health officials to work on issues that are important in their state.

“I certainly encourage you to, when you go back to your home states, understand and learn more about public health,” he said. “The more you work with them on (public health) challenges, the better off your citizenry will be.”

To view the presentations of these speakers and other experts and legislators at the meeting, visit: [http://www.healthystates.csg.org/Events+and+Conferences/Healthy+States+Roundtable.htm](http://www.healthystates.csg.org/Events+and+Conferences/Healthy+States+Roundtable.htm).

—Jennifer Ginn is managing editor of Healthy States Quarterly and a health policy analyst at The Council of State Governments.
Fact Pill: Chlamydia Cases Continue to Rise, 2006

According to new data from the Centers for Disease Control and Prevention, the reported cases of chlamydia continued to increase in 2006. It remains a particular threat to young women ages 15 to 24. Chlamydia is a sexually transmitted disease that is the most commonly reported notifiable disease in the country. If left untreated, it may lead to infertility, chronic pelvic pain and ectopic pregnancy. CDC recommends yearly screenings for all sexually active women under age 25, pregnant women and older women with risk factors, such as having a new partner.

Chlamydia—Age- and Sex-Specific Rates: United States, 2006
(per 100,000 population)

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In the Thicket of State Obesity Policy

As obesity rates continue to increase, combating obesity remains a top state public health priority. The issue is multifaceted and legislators face a complex array of choices.

To help lawmakers interested in learning more about obesity and the policy choices available to states, the Healthy States Initiative offers a variety of resources, some of which are highlighted below. Find and download all resources from http://www.healthysstates.csg.org/Public+Health+Issues/Obesity.

Talking Points

Childhood Obesity

This publication offers vital information in a concise format about the epidemic of childhood obesity, including the contributing factors, financial impact, health disparities and actions policymakers can take to help reduce childhood obesity.

Using School Nutrition to Address Obesity

Get up-to-date information about the costs and health problems associated with childhood obesity, how school nutrition policies affect childhood obesity and what state policymakers can do to improve school nutrition.

Legislator Policy Briefs

School Wellness Policies

Find out what legislators can do to support school wellness policies, get advice from state legislators who have implemented model policies and learn more about comprehensive approaches to improve the school nutrition environment in your state.

Preventing Diseases Through Physical Activity (and Talking Points)

These publications provide state policymakers with up-to-date information about the importance of physical activity and what legislators can do to encourage it. The brief also includes innovative state programs and advice from a state legislator.

Tool Kits

Childhood Obesity

This tool kit, sponsored by the Robert Wood Johnson Foundation, includes resources, data, trends and examples of programs aimed at reversing the childhood obesity epidemic being implemented or considered by states and legislators across the country.

Adult Obesity

This tool kit provides an overview of adult obesity, the impact it has on state governments and employers, examples of policies that work to address obesity, an action checklist for legislators and a list of resources.

Issue Brief

Combating Childhood Obesity

This issue brief highlights three state programs that are successful in changing the way children eat and play. It includes suggestions from health experts and a researcher on how the programs work and what legislators can do in their own states.

Meetings

Policy Academy on the Prevention of Childhood Obesity

This Healthy States conference, held in June 2007 in Hilton Head, S.C., explored the effectiveness of various policy approaches and opportunities for state innovation. Materials from this event are available for download.

—Tim Weldon is a health policy analyst at The Council of State Governments.
It's Not Too Late to Vaccinate for the Flu, continued from page 1

General Information
http://www.cdc.gov/flu/

This site is a portal to a wide range of information about seasonal flu. It includes basic facts about influenza, how to prevent it and advice on what to do if you get sick. Visitors also will find information about National Influenza Immunization Week, Nov. 26–Dec. 2, 2007, and maps that provide a weekly update of flu activity in each state.

Free Flu Materials
http://www.cdc.gov/flu/professionals/flugallery/index.htm

This site contains downloadable materials that can be used for outreach campaigns to encourage constituents to be vaccinated. Many of the items are also in Spanish.

State and Federal Flu-related Policy Activity
http://www2.cdc.gov/phlp/Influenza.asp

This site, maintained by CDC’s Public Health Law program, links to state and federal legislation and executive policy initiatives related to flu vaccines.

—Crady deGolian is a policy research associate at The Council of State Governments.

What About My State?, continued from page 4

Here, for example, you could learn that for 2005, 52.9 percent of adults in Illinois said they didn’t get the recommended 30 or more minutes of moderate physical activity five or more days per week or vigorous physical activity for 20 or more minutes three or more days per week. You could also check your state data against other states.

Drilling Down or Expanding the Scope

If you wanted more localized data for the Chicago area, you could access another database, commonly known as SMART, for the “Selected Metropolitan/Micropolitan Area Risk Trends” database.

With “BRFSS Maps” you could demonstrate how Illinois compares to the rest of the nation. The “Trends” database would allow you to see a graph of the percentages of Illinois residents who said they got no leisure time physical activity in each of the years from 1990 to 2002. And “Historical Questions” allows for tracking changes in the wording of survey questions over time.

Because the flu can spread so rapidly and be so deadly, state legislators may want to monitor the number of flu cases in their states, keep abreast of vaccine supply issues and stay current with CDC recommendations relating to the flu vaccine by visiting http://www.cdc.gov/flu/. CDC Web sites that provide information on seasonal flu and tools to help spread the word that it’s not too late to get vaccinated include:

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provide Medicaid coverage for obesity treatment. One state, Mississippi, approved a bill to study the feasibility of using Medicaid to treat morbid obesity with bariatric surgery. Lawmakers also introduced 21 bills that encourage or mandate insurance coverage for treatment and prevention of obesity.

- **Body mass index, menu labeling.** Legislation in 20 states addressed body mass index monitoring and reporting for school children. Bills were also introduced in 14 states involving menu-labeling requirements for restaurants. In both cases, none of the bills had been approved as of June 30.

**Diabetes**

More than 100 bills and resolutions dealing with diabetes prevention and treatment were introduced. The majority of the 21 measures approved in 13 states involved diabetes awareness activities.

- **Diabetes prevention bills enacted.** In Oregon, legislators approved a bill that calls on the Department of Human Services to develop a plan by 2009 to slow the rate of diabetes caused by obesity and other environmental factors. Texas House Bill 3735 authorizes a diabetes demonstration pilot program to promote the prevention and treatment of diabetes and acanthosis nigricans, a skin disorder often associated with elevated insulin levels.

- **Diabetes coverage and education.** Legislators in Connecticut considered legislation to provide individuals with diabetes with comprehensive coverage for equipment, supplies and prescriptions. Several bills were introduced that would have established nutritional and educational programs for consumers, patients and health care providers to reduce the rate of diabetes and its complications.

- **School screening.** Legislators in several states, including Oklahoma, New York and South Dakota, introduced bills involving diabetes management and screening within schools.

- **Biologic medication study.** The Virginia legislature considered a resolution that would have resulted in a study of more affordable generic biologic medications, which are part of a class of medications using living organisms to treat diabetes and other diseases.

**Smoking Bans, Cigarette Taxes**

Legislators in 45 states introduced 175 bills and resolutions to curb smoking in public. Most would have restricted smoking in public areas, although several would have loosened restrictions already in place. As of the end of June, 28 bills restricting public smoking were enacted. Legislators in Virginia approved a measure that permitted smoking in restaurants that displayed signs at doors indicating smoking was allowed. However, the governor vetoed the measure. Legislators also considered 235 bills in 47 states involving tobacco taxes. At least 40 bills in 21 states were enacted. Most either raise tobacco taxes or reallocate revenue from tobacco taxes. As of Oct. 1, 2007, the average state tax on a pack of cigarettes was $1.07.

**Worksite Wellness**

Fifty-three measures promoting workplace wellness programs were considered in 17 states. The nine bills and resolutions enacted include Indiana House Bill 1678 and Senate Bill 503, which create a state tax credit for employers who provide a qualified employee wellness program. Maryland House Bill 339 authorizes health insurance discounts for employers offering employee wellness programs. In North Carolina, House Bill 1475 created wellness pilot programs for state employees.

**HIV/AIDS and Sexually Transmitted Diseases**

About 500 bills pertaining to sexually transmitted diseases and HIV/AIDS were introduced and 68 were signed into law. Legislative activity centered on bills concerning:

- **Testing, counseling and treatment.** Thirty-three states and the District of Columbia introduced measures relating to testing, counseling and treatment for STDs and HIV/AIDS. Many of the bills dealt with prisoners, requiring HIV testing upon entry into prison or before release, and allowing assault victims to require a suspect to take an HIV test.

**Environmental Public Health**

Harmful pollutants and air quality were two key areas of environmental public health on the minds of state lawmakers. Lawmakers in 34 states introduced 184 bills, enacting 24. Examples include:

- **Mercury.** Eleven bills in eight states sought either to restrict the sale of various products containing the element or to regulate mines and power plants that emit mercury.

- **Asbestos exposure and abatement.** Iowa and Nevada both addressed issues involving the contracting of individuals to remove asbestos, while Georgia

Continued on page 8
State legislators and decision makers can receive printed versions of these resources by calling The Council of State Governments at (859) 244-8000, or by e-mailing panderson@csg.org.

**Legislator Policy Briefs**

This series provides state policymakers with concise summaries of key public health issues. Each brief includes advice from other state legislators, ways you can get involved in your state and a look at programs that work. Published briefs include:

- Chlamydia Screening and Treatment *(New!)*
- Comprehensive Smoking Prevention Programs
- Controlling High Blood Pressure
- Exemptions from School Immunization Requirements *(New!)*
- Keeping the Aging Population Healthy *(New!)*
- Local Solutions to Racial & Ethnic Health Disparities *(New!)*
- New Funding to Discourage Smoking *(New!)*
- Preventing and Treating Stroke *(New!)*
- Preventing Cardiovascular Disease *(New!)*
- Preventing Colorectal Cancer
- Preventing Diseases through Physical Activity
- School Mental Health Services *(New!)*
- School Wellness Policies
- Vaccinating Health Care Workers to Control Flu Outbreaks *(New!)*

**Coming soon!** Look for Legislator Policy Briefs on reducing adolescent health disparities, adult immunizations, workplace health programs, asthma prevention and preventing cervical cancer.

**Talking Points**

Available now, these two-page publications are designed to give state legislators quick and handy overviews of major state public health issues:

- Childhood Obesity
- Comprehensive Smoking Prevention Programs
- Exemptions from School Immunization Requirements *(New!)*
- Expedited Partner Therapy
- Health Care Worker Influenza Vaccination *(New!)*
- High Blood Pressure
- Keeping the Aging Population Healthy *(New!)*
- New Funding to Discourage Smoking *(New!)*
- Preventing and Treating Stroke *(New!)*
- Preventing Colorectal Cancer
- Preventing Diseases through Physical Activity
- Racial and Ethnic Health Disparities
- Using School Nutrition to Address Obesity

**Coming soon!** Look for new Talking Points on adolescent and adult immunizations, preventing tooth decay, preventing asthma, HIV testing guidelines and diabetes management.

**Immunizations and Emergency Response**

Twenty-one states introduced legislation pertaining to emergency preparedness and response. **New York** passed Senate Bill 4021, which updates the state’s pandemic flu plan and provides for the care of adults with special needs in a mandatory evacuation during a state of emergency. **North Carolina** and **Texas** dealt with the issue of delivery of prescriptions during a disaster by allowing for the waiving of time restrictions on refills and by granting authority to pharmacists to fill certain prescriptions.

**Missouri** passed a bill (House Bill 579) to allow deployment of licensed, registered or certified health care professionals from any state during an emergency.

—Jennifer Ginn, Sean Slone and Tim Weldon are health policy analysts with The Council of State Governments.