

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Track the Prevalence of Childhood Obesity in Maine**

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

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

### **§ 6455. Body mass index data**

**1. Collection of data.** A school nurse or trained screener shall collect body mass index data from students in the school administrative unit in accordance with rules of the Department of Health and Human Services. Data may not be collected from a student whose parent or guardian objects on religious or philosophical grounds.

**2. Confidentiality.** Except as provided in subsection 3, body mass index data collected pursuant to subsection 1 are confidential and are not subject to disclosure pursuant to Title 1, chapter 13.

**3. Reporting of data.** A school nurse shall report the data collected under subsection 1 to the Department of Health and Human Services, Maine Center for Disease Control and Prevention. Data reported pursuant to this subsection may be reported in the aggregate only and may not identify an individual student.

**4. Funding.** In the event federal funds are not available for collecting and reporting data pursuant to this section, the State, municipality or school administrative unit is under no obligation to use any state, municipal or school administrative unit funds to carry out the purposes of this section.

**5. Rules.** The Department of Health and Human Services shall adopt routine technical rules in accordance with Title 5, chapter 375, subchapter 2-A to implement this section. The rules must at a minimum:

- A. Establish a schedule and protocol for the collection of data from students; and
- B. Provide a method for uniform reporting of the collected data to the Maine Center for Disease Control and Prevention.

Effective September 12, 2009