



State Legislation to Address Childhood Obesity

Examining patterns to target policy interventions

SUMMARY

An estimated 12.5 million American children and teens are obese. Over time, the diseases and disabilities associated with obesity may undermine this population's health and result in substantial social and economic costs.

Policies that address children's nutrition and physical activity are an important tool in reversing the obesity epidemic. More states are developing such legislation, but little is known about the factors that influence passage or how the resultant policies relate to childhood obesity rates. Having that knowledge could help public health advocates target policy interventions more effectively.

From April 2009 to September 2011, researchers at the [Prevention Research Center in St. Louis](#), a joint venture of Washington University in St. Louis and St. Louis University analyzed state legislation on childhood obesity enacted from 2006 to 2009 to identify patterns in the topics addressed, the presence of evidence-based components, and factors that predict successful enactment.

The project expanded on and updated an earlier RWJF project (ID# 53630; see [Program Results Report](#)), which supported a similar analysis of legislation from 2003 to 2005 and found that community- and school-based bills were most likely to be enacted.

Amy Eyler, PhD, CHES, and Ross C. Brownson, PhD,¹ co-directed the project, which undertook the following:

- Compared online options for searching state legislation, including six state databases, two subscription databases, and two summaries of state legislation²

¹ Eyler is associate research professor at the Prevention Research Center of the George Warren Brown School of Social Work at Washington University in St. Louis. Brownson is professor at the George Warren Brown School of Social Work and Washington University's School of Medicine. Both are past grantees of the RWJF's [Active Living Research](#) program. Brownson was the principal investigator on the earlier analysis of state legislation.

- Analyzed 1,761 state bills enacted nationwide between 2006 and 2009 that addressed childhood obesity to quantitatively identify factors that predict enactment. The analysis focused on:
 - Characteristics of both the proposed legislation (e.g., the topics it addressed, costs, the sponsoring legislators’ committee memberships) and of the state (e.g., level of childhood obesity, dominant political party)
 - Whether the bills addressed childhood obesity in a school or community setting
- Interviewed 37 stakeholders in selected states to gain a qualitative understanding of the relationship between childhood obesity rates and policies that address the issue of childhood obesity

Interviewees were drawn from states with low obesity rates and low policy activity (South Dakota and Montana), “high obesity/low policy” states (Arizona and Kansas), “low obesity/high policy” states (Washington, Maine, and Colorado), and “high obesity/high policy” states (Louisiana, New York, and Oklahoma).

Interviewees comprised 20 policy-makers across the 10 states and 17 advocates in “high policy” states.

- Developed two research tools for use by other investigators:
 - *State Legislative Search Guide*—for searching state legislative databases,³ with live links to each state’s database and tips tailored to each state
 - *Interview Guides for Policy Makers and Advocates*, with protocols for collecting information on childhood obesity legislation from advocates and legislators⁴

A recounting of researchers’ work in developing the state legislative guide—and access to its databases—appeared in *Preventing Chronic Disease*⁵ in 2012.

- Disseminated tools, information, and findings via:
 - Three papers published or in press at peer-reviewed journals. (See the [Bibliography](#).)

² The state legislative databases were those of Alabama, Florida, Maine, Ohio, Oregon, and West Virginia. The subscription databases were [Lexis Nexis](#) and [NetScan](#) (replaced by Thomson Reuters’ [Capitol Watch](#) in 2010). Legislative summaries were those of the Centers for Disease Control and Prevention, Division of Nutrition, Physical Activity and Obesity, available [online](#), and the National Council of State Legislatures, available [online](#).

³ *State Legislative Search Guide*, available [online](#).

⁴ *Interview Guides for Policy Makers and Advocates*, available from the Prevention Research Center in St. Louis, or online with prior authorization.

⁵ Nguyen LM, Eyler AA, Kong J and Brownson RC. State Legislation Savvy: A Primer and Tools for Online Legislative Research in the United States. *Preventing Chronic Disease*, 9:100298, 2012. Available [online](#).

- The project [website](#)
- Listservs that reached approximately 2,840 recipients (for distribution of the legislative search guide)
- Presentations at three national conferences, including a joint meeting of the Society for Public Health Education and the Centers for Disease Control and Prevention, which reached a total of 425 attendees
- A webinar for the National Association of Chronic Disease Directors
- Two professional development seminars at which 40 participants practiced using the state legislative search guide

Findings

Project staff reported the following findings in two in-press articles, an unpublished article,⁶ and in a 2012 interview conducted for this report:

- **The 10 state legislation databases examined showed substantial variation in their comprehensiveness and in their strengths as research tools, ease of use, and cost.**
 - The six state databases and two subscription databases exhibited the most comprehensiveness, with the two legislative summaries a distant third. A three-topic search returned 141 bills (for the state databases), 147 and 138 bills (for the two subscription databases), and 32 and 17 (for the two legislative summaries).
 - The six state databases varied widely in quality and the years covered, but were free. There was variation from state to state in the subscription databases and between subscription databases.
 - Among the subscription databases and legislative summaries, some clearly excelled at tracking current legislation (for example, sending email updates when legislative changes occur that fall within a user’s search terms), or at comparing legislation because they employ a consistent formatting for all bills. Others were well suited to historical research.
 - The six state databases all updated rapidly—some within minutes of legislative action—with one subscription database (NetScan) close behind, updating by computer scan of state databases each evening. (Unpublished article)

⁶ Eyler AA, Nguyen L, Kong J and Brownson RC. “Patterns and Predictors of Enactment of State Childhood Obesity Legislation in the United States: 2006–2009.” *American Journal of Public Health*. In press.

Jones E, Eyler A, Nguyen L, Kong J, Brownson RC and Bailey JH. “It’s All in the Lens: Differences in Views on Obesity Prevention between Advocates and Policy Makers.” *Childhood Obesity*. In press.

Nguyen LM, Eyler AA, Kong J, Seiler R and Brownson RC. “Searching High and Low: A User’s Guide for Online Searching of State Legislation on Health Promotion Topics.” Unpublished.

- **Few state-level factors predicted enactment of childhood obesity legislation.** However, committee or bipartisan sponsorship of a bill, and term limits in the legislature significantly predicted enactment, at least some of the time. The researchers speculated in the interview that legislators in states with term limits are more likely to take risks and are therefore more likely to pass childhood obesity legislation. (*American Journal of Public Health*)
- **Bills that addressed safe routes to school or health or nutrition education in schools were twice as likely as other bills to be enacted.** Bills that involved product or menu labeling or a soda or snack tax were significantly less likely to be enacted. (*American Journal of Public Health*)
- **Policy-makers and advocates have different perspectives on childhood obesity policy as a problem or priority.** (*Childhood Obesity*)
 - Many policy-makers did not perceive any consensus among constituents about the severity of the obesity problem and were not convinced that state policy is an effective tool to address obesity. They tended to speak of the potential political costs of legislation.
 - Meanwhile, advocates considered obesity a high priority that can be addressed through policy, and tended to consider political opposition as less significant.
 - Policy-makers in states where there was more childhood obesity policy action were more likely to believe in the evidence behind obesity policy proposals than those in states with less policy action.

Recommendations

Project staff offered potential users of legislative databases the following advice in an unpublished article.⁷

- **If cost is a concern, individual state databases and legislative summaries can be an effective tool.** While it is time-consuming to learn details of each state’s legislative search procedure, these free databases may be the best option for persons interested in a small number of states for study. However, the technical capacity of state databases varies greatly, and some legislative Web pages are difficult to navigate.
- **If the primary concern is having a comprehensive, easily searchable database, then subscription databases are a better—though expensive—option.** They are particularly effective if combined with back-up checks using state databases and legislative summaries. For searching multiple states, consistency makes subscription-

⁷ Nguyen LM, Eyler AA, Kong J, Seiler R and Brownson RC. “Searching High and Low: A User’s Guide for Online Searching of State Legislation on Health Promotion Topics.” Unpublished.

based legislative databases like NetScan and Lexis Nexis easier to use and less time-consuming.

Lessons Learned

1. **Keep an eye on the political mood in states selected for policy analysis.** “Childhood obesity is a hot topic right now so there’s a lot going on, but things can change on a dime,” says Project Co-director Eyler.
2. **Allow adequate time to review the legislation in depth.** “Bill analysis takes a long time, [because] state legislation isn’t always written clearly,” Eyler notes. To ensure reliable analysis, Eyler assigned two reviewers to each piece of legislation and required them to reach consensus on their assessment, which also added time.

Funding

RWJF provided \$396,932 for this project.

Afterward

The Prevention Research Center at Washington University has dedicated resources to continue updating the state legislative search guide.

In January 2012, the center began a two-year RWJF project to continue building on their state childhood obesity policy evaluation.⁸ The new project will explore the role of advocacy in enacting state policy related to childhood obesity and, where possible, create case studies to illustrate a best-practices enactment process.

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Grant ID # 65559

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⁸ Grant ID# 69715. See the [RWJF website](#) for more information.

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Education or Toolkits

Toolkits, Toolboxes or Primers

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Communication or Promotion

Grantee Website

<http://prcstl.wustl.edu/research/Pages/SCOPE.aspx>. Project website for State Childhood Obesity Policy Evaluation (SCOPE).