

110TH CONGRESS
1ST SESSION

H. R. 2045

To help promote the national recommendation of physical activity to kids,
families, and communities across the United States.

IN THE HOUSE OF REPRESENTATIVES

APRIL 25, 2007

Mr. UDALL of Colorado (for himself, Ms. GRANGER, Mr. BOSWELL, Mr. MCINTYRE, and Mr. CUMMINGS) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To help promote the national recommendation of physical activity to kids, families, and communities across the United States.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Promoting Lifelong
5 Active Communities Every Day Act” or the “PLAY Every
6 Day Act”.

1 **SEC. 2. PURPOSE.**

2 The purpose of this Act is to help children, families
3 and communities achieve the national recommendation of
4 60 minutes of physical activity every day.

5 **SEC. 3. FINDINGS.**

6 Congress makes the following findings:

7 (1) Health care costs in the United States are
8 rising rapidly. Per capita health spending in the
9 United States is 56 percent higher than the median
10 for countries that are members of the Organization
11 for Economic Co-operation and Development.

12 (2) According to the Centers for Medicare and
13 Medicaid Services, total health care spending in the
14 United States in 2004 was \$1,800,000,000,000 and
15 is expected to rise to \$3,600,000,000,000 by 2014.
16 Furthermore, chronic disease accounts for approxi-
17 mately 75 percent of health care costs annually.

18 (3) Chief executive officers rank health care
19 costs as their number 1 economic pressure, and
20 McKinsey and Company predicts that by 2008 the
21 health care costs of the Fortune 500 companies will
22 be greater than their net profits, if current trends
23 continue.

24 (4) Since the 1970s, the percentage rate of obe-
25 sity has more than doubled for preschool children
26 aged 2–5 years and adolescents aged 12–19 years,

1 and it has more than tripled for children aged 6–11
2 years.

3 (5) The Institute of Medicine reported that in
4 2004, approximately 9,000,000 children over 6 years
5 of age were obese.

6 (6) The Centers for Disease Control and Pre-
7 vention reported in 2000 that only 8 percent of ele-
8 mentary schools, 6.4 percent of middle and junior
9 high schools, and 5.8 percent of senior high schools
10 offer daily physical education or its equivalent for
11 the entire school year for students in all grades of
12 the school.

13 (7) The Centers for Disease Control and Pre-
14 vention reported in 2000 that less than 50 percent
15 of all schools offered any intramural activities or
16 physical activity clubs for students.

17 (8) A 2002 survey reported that 61.5 percent
18 of children do not participate in any organized phys-
19 ical activity outside of school hours.

20 (9) The Institute of Medicine reported in “Pre-
21 venting Childhood Obesity” (2004) that in 1969, an
22 average of 48 percent of all students walked or bicy-
23 cled to school. In 1999, only 19 percent of children
24 walked to or from school and 6 percent rode bicycles
25 to school.

1 (10) Between 1977 and 1995, trips made by
2 walking declined by 40 percent for adults while driv-
3 ing trips increased to almost 90 percent of the total.

4 (11) The Institute of Medicine reported that
5 due to vehicular traffic, high crime rates, and lack
6 of sidewalks or open spaces, children often do not
7 have safe places to play outside in many neighbor-
8 hoods.

9 (12) Currently, many governmental, scientific,
10 and public health agencies recommend that school-
11 age children and adolescents engage in at least 60
12 minutes of moderate to vigorous physical activity
13 that is developmentally appropriate and enjoyable,
14 and which involves a variety of activities, on most,
15 preferably all, days of the week.

16 **SEC. 4. DEFINITION OF SECRETARY.**

17 In this Act, the term “Secretary” means the Sec-
18 retary of Health and Human Services.

19 **TITLE I—NATIONAL PROGRAM**
20 **PROMOTING LIFELONG AC-**
21 **TIVE COMMUNITIES**

22 **SEC. 101. DEVELOPMENT OF COMMUNITY PLAY INDEX.**

23 (a) COMMUNITY PLAY INDEX.—The Secretary, act-
24 ing through the Director of the Centers for Disease Con-
25 trol and Prevention, shall develop a well-validated commu-

1 nity measurement tool, which shall be known as the “Com-
2 munity Play Index”, that can measure the policy, pro-
3 gram, or environmental barriers in communities to partici-
4 pating in physical activity. The Community Play Index
5 shall include—

6 (1) cross-cutting measurements that—

7 (A) examine barriers to physical activities
8 across multiple settings, including homes, after
9 school and child care sites, schools, the commu-
10 nity at-large, and worksites; and

11 (B) focus on the—

12 (i) availability of adequate spaces and
13 places for physical activity;

14 (ii) availability of, and access to, qual-
15 ity physical activity and physical education
16 programs; and

17 (iii) the availability of programs, ac-
18 tivities, and leaders to educate about the
19 importance of physical activity for the com-
20 munity; and

21 (2) additional measurements to assist economi-
22 cally and culturally diverse communities in exam-
23 ining the social determinants of health.

1 (b) GUIDANCE AND TRAINING.—The Secretary shall
2 provide guidance and develop training on utilizing the
3 Community Play Index.

4 **SEC. 102. SENSE OF THE CONGRESS REGARDING FUNDING.**

5 It is the sense of the Congress that the Secretary,
6 acting through the Director of the Centers for Disease
7 Control and Prevention, shall carry out this title using any
8 additional and available funds provided to the Secretary
9 for the steps to a healthier United States program carried
10 out by the Centers for Disease Control and Prevention.

11 **TITLE II—MODEL COMMUNITIES**
12 **OF PLAY IMPLEMENTATION**
13 **GRANTS**

14 **SEC. 201. MODEL COMMUNITIES OF PLAY IMPLEMENTA-**
15 **TION GRANTS.**

16 (a) PROGRAM AUTHORIZED.—

17 (1) IN GENERAL.—The Secretary, acting
18 through the Director of the Centers for Disease
19 Control and Prevention, shall award 3 grants to
20 State health departments to enable the State health
21 departments to work in partnership with eligible
22 community-based coalitions to plan and implement
23 model communities of play that—

24 (A) increase the physical spaces and places
25 available for physical activity;

1 (B) increase the opportunities for children
2 and families to participate in quality play, and
3 the number of children and families partici-
4 pating in quality play; and

5 (C) increase knowledge and awareness
6 about the importance of individuals achieving
7 60 minutes of recommended physical activity
8 every day.

9 (2) AMOUNT OF GRANTS.—A grant awarded
10 under this subsection shall be in the amount of
11 \$250,000. If the amounts appropriated under this
12 Act for a fiscal year are not sufficient to support 3
13 grants at such level, the Secretary shall ratably re-
14 duce the amount of all grants.

15 (b) APPLICATION.—A State health department desir-
16 ing a grant under subsection (a) shall submit an applica-
17 tion to the Secretary at such time, in such manner, and
18 containing such information as the Secretary may require.

19 (c) COORDINATION.—In awarding grants under sub-
20 section (a), the Secretary shall ensure that the proposed
21 programs assisted under each grant are coordinated in
22 substance and format with programs currently funded
23 through other Federal departments and agencies, includ-
24 ing—

1 (1) State-based nutrition and physical activity
2 programs, comprehensive school health education
3 programs, and community-based health and wellness
4 programs of the Centers for Disease Control and
5 Prevention;

6 (2) the physical education programs under sub-
7 part 10 of part D of title V of the Elementary and
8 Secondary Education Act of 1965 (20 U.S.C. 7261
9 et seq.;

10 (3) the safe routes to schools program under
11 section 1404 of the Safe, Accountable, Flexible, Effi-
12 cient Transportation Equity Act: A Legacy for
13 Users (23 U.S.C. 402 note; 119 Stat. 1228); and

14 (4) other health and wellness programs oper-
15 ating within the community.

16 (d) PARTNERSHIP WITH COMMUNITY COALITIONS.—

17 A State health department receiving a grant under sub-
18 section (a) shall use grant funds to carry out the activities
19 described in subsection (e) in partnership with 1 or more
20 community coalitions that meet all of the following re-
21 quirements:

22 (1) The community coalition is comprised of a
23 representative sampling of community partners, in-
24 cluding not less than half of the different types of

1 individuals or entities described in subparagraphs

2 (A) through (O):

3 (A) A community-based organization that
4 focuses on children and youth, preventive
5 health, physical activity, or physical education.

6 (B) A local parks and recreation depart-
7 ment.

8 (C) A local health department.

9 (D) A local educational agency, as defined
10 in section 9101 of the Elementary and Sec-
11 ondary Education Act of 1965 (20 U.S.C.
12 7801).

13 (E) A local city planning agency.

14 (F) A local health care provider.

15 (G) A 4-year institution of higher edu-
16 cation, as defined in section 101 of the Higher
17 Education Act of 1965 (20 U.S.C. 1001).

18 (H) A tribal health facility, where applica-
19 ble.

20 (I) A tribal educational agency, where ap-
21 plicable.

22 (J) A federally qualified health center or
23 rural health clinic, where applicable.

24 (K) A hospital.

25 (L) A faith-based organization.

1 (M) A policymaker or elected official.

2 (N) A community planning organization.

3 (O) A business.

4 (2) The community coalition completed and
5 submitted to the State health department—

6 (A) a Community Play Index developed
7 under section 101 for the community that iden-
8 tifies the gaps and barriers to physical activity
9 in the community to children and youth; and

10 (B) a community action plan describing
11 the programs, policy, and environmental change
12 strategies that will be implemented with grant
13 funds to help children and youth in the commu-
14 nity reach the recommended 60 minutes of
15 physical activity every day.

16 (3) The community coalition provided—

17 (A) documentation to the State health de-
18 partment on the manner in which the coalition
19 will coordinate with appropriate State and local
20 authorities, including—

21 (i) State or local health departments;

22 (ii) State educational agencies or local
23 educational agencies, as defined in section
24 9101 of the Elementary and Secondary
25 Education Act of 1965 (20 U.S.C. 7801);

1 (iii) State or local parks and recre-
2 ation departments or associations;

3 (iv) State or local departments of
4 transportation or city planning;

5 (v) community foundations; and

6 (vi) any other entities determined to
7 be appropriate by the Secretary; and

8 (B) a description of the manner in which
9 the coalition will evaluate the effectiveness of
10 the programs carried out with grant funds.

11 (e) AUTHORIZED ACTIVITIES.—A State health de-
12 partment that receives a grant under subsection (a) shall
13 use funds available through the grant to carry out the fol-
14 lowing activities:

15 (1) Train community-based coalitions on how to
16 utilize the Community Play Index to measure the
17 program, policy, and environmental barriers to pro-
18 moting lifelong physical activity for youth.

19 (2) Work in partnership with community coali-
20 tions described in subsection (d) to enable the com-
21 munity coalitions to carry out the coalition's commu-
22 nity action plan and promote a model community of
23 play, which may include the following:

24 (A) Enabling the maximum use of, or the
25 creation of spaces and places for, physical activ-

1 ity for children, families, and communities be-
2 fore, during, and after school or work, which
3 may include increasing the number of—

4 (i) programs that increase the number
5 of safe streets and sidewalks in the com-
6 munity to walk and bike to school, work,
7 or other community destinations, such as
8 recreation sites, parks, or community cen-
9 ters;

10 (ii) schools, faith-based organizations,
11 and recreational facilities serving the com-
12 munity that provide programming on phys-
13 ical activity and physical education before,
14 during, or after school;

15 (iii) schools serving the community
16 that provide recess, physical education, and
17 physical activity for children and youth;

18 (iv) day care, child care, and after
19 school care sites in the community that
20 provide physical activity for children and
21 youth;

22 (v) venues in the community that pro-
23 vide co-curricular physical activity pro-
24 grams, including sports fields and courts,
25 especially venues for all-inclusive intra-

1 mural programs and physical activity
2 clubs;

3 (vi) playgrounds and activity sites in
4 the community for young children, includ-
5 ing sites that offer programs that provide
6 physical activity instruction that meet the
7 various needs and interests of all students,
8 including those with illness, injury, and
9 physical and developmental disabilities, as
10 well as those that live sedentary lifestyles
11 or with a disinterest in traditional team
12 sports;

13 (vii) capital improvement projects that
14 increase opportunities for physical activity
15 in the community; and

16 (viii) networks of walking and cycling
17 trails where trails do not exist in the com-
18 munity, that offer both a functional alter-
19 native to automobile travel and an oppor-
20 tunity for exercise, recreation, and commu-
21 nity connectedness.

22 (B) Enhancing opportunities and access
23 for children and youth in the community to par-
24 ticipate in quality physical activity and physical
25 education programs before, during, and after

1 school, which may include increasing the num-
2 ber of—

3 (i) school and after school care sites
4 in the community that implement proven
5 health curricula, physical education (in-
6 cluding developing innovative approaches
7 to teaching and staffing, physical edu-
8 cation), and physical activity programming;

9 (ii) children and youth in the commu-
10 nity that are able to participate in physical
11 education or activity during and after
12 school, by ensuring that adequate equip-
13 ment is available to such children and
14 youth;

15 (iii) scholarships to low-income chil-
16 dren and youth for physical activity pro-
17 grams;

18 (iv) education and training programs
19 for education, recreation, leisure, child
20 care, and coaching professionals regarding
21 quality physical education and physical ac-
22 tivity programs and policies;

23 (v) training programs to assist physi-
24 cians in—

1 (I) carefully communicating the
2 results of body mass index (BMI)
3 tests to parents and, in an age-appro-
4 priate manner, to the children and
5 youth themselves;

6 (II) providing information to
7 families so they may make informed
8 decisions about physical activity and
9 nutrition; and

10 (III) explaining the benefits asso-
11 ciated with physical activity and the
12 risks associated with childhood over-
13 weight and obesity;

14 (vi) assessment tools used to measure
15 the quality of physical activity, sports, and
16 intramural sports programs;

17 (vii) guidelines and informational ma-
18 terials used by teachers, parents, care-
19 givers, and health-care professionals who
20 are interested in promoting physical activ-
21 ity for infants, toddlers, and preschoolers;
22 and

23 (viii) guidelines and informational ma-
24 terials used to promote physical activity
25 with the intent of improving the current

1 health, fitness, and wellness of preadoles-
2 cent children (ages 6 through 12) as well
3 as to promote lifelong physical activity.

4 (C) Identifying, engaging and mobilizing
5 community leaders, decision-makers, experts,
6 and the media to raise awareness and educate
7 the public about the importance of securing 60
8 minutes of physical activity every day, which
9 may include increasing the number of—

10 (i) school and after school care faculty
11 and staff, including coaches, that serve as
12 positive role models for students regarding
13 regular physical activity;

14 (ii) businesses that serve as role mod-
15 els by providing physical space and incen-
16 tives for employees to participate in phys-
17 ical activity;

18 (iii) businesses that serve as role mod-
19 els to communities by—

20 (I) providing support to intra-
21 mural teams, clubs, sports leagues,
22 playgrounds, trails, biking and walk-
23 ing paths, and fields and venues for
24 sports, play, and physical activity;

- 1 (II) incorporating built environ-
2 ment strategies into new construction
3 of facilities;
- 4 (III) adopting safe routes to
5 school programs;
- 6 (IV) providing bike racks at the
7 office; and
- 8 (V) encouraging the use of the
9 stairs;
- 10 (iv) insurers that provide incentives
11 for maintaining healthy body weight, in-
12 cluding offering screening and obesity pre-
13 vention services in routine clinical practice;
- 14 (v) groups representing low-income in-
15 dividuals or individuals with disabilities,
16 that can promote and secure safer and
17 more accessible sites for activity;
- 18 (vi) consumer research-driven mar-
19 keting strategies for ongoing initiatives
20 and interventions that enhance physical ac-
21 tivity for children and youth;
- 22 (vii) products and opportunities pro-
23 vided or offered by leisure, entertainment,
24 and recreation industries that promote reg-

1 ular physical activity and reduce sedentary
2 behaviors;

3 (viii) media advocacy training pro-
4 grams for public health and exercise sci-
5 entists so as to empower the scientists to
6 disseminate their knowledge to a broad au-
7 dience; and

8 (ix) campaigns to foster awareness
9 about the health benefits of regular phys-
10 ical activity of not less than 60 minutes a
11 day for all children and youth.

12 (3) To support the evaluation of the community
13 action plans of the community coalitions and the ac-
14 tivities carried out under this Act.

15 (f) AUTHORIZATION OF APPROPRIATIONS.—There
16 are authorized to be appropriated to carry out this title
17 \$750,000 for fiscal year 2008.

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