

**12.550 Governor's Council on Wellness and Physical Activity -- Membership -- Powers and duties -- Reports.**

- (1) The Governor's Council on Wellness and Physical Activity is hereby established and authorized to operate the Governor's Wellness and Physical Activity Program, Inc. for the purpose of establishing and implementing a health, wellness, and fitness program for Kentucky and to promote a healthy lifestyle for all citizens of the Commonwealth. The Governor's Council on Wellness and Physical Activity shall be attached to the Office of the Governor for administrative purposes.
  - (a) The ex officio members of the Governor's Council on Wellness and Physical Activity shall be as follows:
    1. The Governor or the Governor's designee from the executive cabinet;
    2. The secretary of the Cabinet for Health and Family Services or designee;
    3. The secretary of the Personnel Cabinet or designee;
    4. The secretary of the Education and Workforce Development Cabinet;
    5. The Senate co-chair of the Interim Joint Committee on Health and Welfare of the General Assembly; and
    6. The House co-chair of the Interim Joint Committee on Health and Welfare of the General Assembly.
  - (b) In addition to the ex officio members, the Governor shall appoint five (5) council members to serve three (3) year terms on the Governor's Council on Wellness and Physical Activity. Members appointed by the Governor may be reappointed by the Governor to serve successive terms. In making appointments, the Governor shall attempt to include individuals from different geographic regions of the Commonwealth of Kentucky. The Governor shall make appointments to fill vacancies as they occur. Each appointment after the initial appointment shall be for a three (3) year term unless the appointment is to fill the unexpired portion of a term.
  - (c) The Governor or, if so designated by the Governor, the chairman of the council shall have the authority to hire, fire, and manage all personnel of the Governor's Wellness and Physical Activity Program, Inc., including the executive director.
  - (d) The council shall administer funds appropriated or gifts, donations, or funds received from any source. The council may expend funds in its discretion to carry out the intent of KRS 12.020, 12.023, 12.550, 194A.030 and 194A.085.
  - (e) The council shall closely coordinate with the Governor's Office of Wellness and Physical Activity to establish policies and procedures.
  - (f) The council shall select from its membership a chairman and any other officers it considers essential. The council may have committees and subcommittees as determined by the council.
  - (g) The council shall develop funding and support plans that provide for the maintenance of the Governor's Office of Wellness and Physical Activity, and

shall make recommendations to the Governor and secretary of the Cabinet for Health and Family Services.

- (h) The council shall meet quarterly or more often as necessary for the conduct of its business. A majority of the members shall constitute a quorum for the transaction of business. Members' designees shall have voting privileges at committee meetings.
  - (i) Members of the council shall serve without compensation but shall be reimbursed for their necessary travel expenses actually incurred in the discharge of their duties on the council, subject to Finance and Administration Cabinet administrative regulations.
  - (j) The council may establish working groups as necessary.
  - (k) The council shall establish the Governor's Wellness and Physical Activity Program, Inc. pursuant to the requirements in KRS 12.020, 12.023, 12.550, 194A.030, and 194A.085.
- (2) Funds appropriated for purposes of the program shall only be used to facilitate the goals of the Governor's Office of Wellness and Physical Activity and shall not lapse at the end of the fiscal year.
- (3) (a) The Governor's Wellness and Physical Activity Program, Inc. shall follow standard accounting practices and shall submit the following financial reports to the Office of the Governor, the Finance and Administration Cabinet, and the Legislative Research Commission:
- 1. Quarterly reports of expenditures of state funds, submitted on or before the thirtieth day after the end of each quarter in the corporation's fiscal year;
  - 2. Annual reports of receipts and expenditures for the Governor's Wellness and Physical Activity Program, Inc., submitted on or before the sixtieth day after the end of the fiscal year of the corporation; and
  - 3. The report of an annual financial audit conducted by an independent auditor, submitted on or before September 1 of each year.
- (b) The Governor's Wellness and Physical Activity Program, Inc. and the Governor's Office of Wellness and Physical Activity shall file quarterly reports with the Office of the Governor and the Legislative Research Commission. The report shall include a detail of the operations of the program for the preceding year. The report shall include information concerning the participant demographics, number of incentives distributed, and program outcomes according to such measures of success as the board may adopt.

**Effective:** June 25, 2009

**History:** Amended 2009 Ky. Acts ch. 11, sec. 5, effective June 25, 2009. -- Created 2006 Ky. Acts ch. 172, sec. 1, effective July 12, 2006.