



Kansas Bureau of Investigation

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**Testimony in Support of Senate Bill 52
Before the House Standing Committee on Health and Human Services
Katie Whisman, Executive Officer
Kansas Bureau of Investigation
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Chairman Hawkins and Members of the Committee:

Thank you for the opportunity to testify in support of Senate Bill 52, which would update the drug schedules included in the Kansas uniform controlled substances act.

Under both the federal and state uniform controlled substances acts, there are five schedules, or lists of drugs. Schedule I drugs are those determined to have a high potential for abuse with no currently accepted medical use while Schedule V drugs are those with a low potential for abuse and a currently accepted medical use.

Each year, the Kansas Bureau of Investigation works very closely with the Kansas Board of Pharmacy and a multidisciplinary group of individuals to identify and address emerging drug threats in Kansas. This year, Senate Bill 52 is the product of that collaboration.

Jurisdictions across the country are experiencing, firsthand, a rapidly emerging and very serious public safety threat which is commonly being referred to as “the opioid epidemic”. According to the Centers for Disease Control, Americans are dying at a rate of 78 per day from opioid overdoses. Kansas is not immune. In recent months, we have become aware of several drug related overdose deaths attributed to dangerous substances which are not currently controlled in Kansas. Senate Bill 52 seeks to correct that.

Senate Bill 52 will also help us continue our efforts to address increasing trends in the use of “Designer Drugs”, or those that are synthesized with the specific intent of circumventing existing drug laws by slightly altering the molecular structure of a currently controlled substance. These alterations, although often slight, produce analog substances that are equally potent in their effect on the human central nervous system.

Additionally, Senate Bill 52 will update the Kansas drug schedules to reflect recent modifications to the federal drug schedules.

To summarize, Senate Bill 52 will make the following changes to address emerging drug threats which pose a risk to the health and safety of Kansas citizens:

Add dangerous synthetic opioids to Schedule I

AH-7921, Beta-hydroxythiofentanyl, Butyryl fentanyl, Furanyl fentanyl, U-47700 are each dangerous synthetic opioids that have recently been placed in Schedule I of the federal drug schedule. These dangerous drugs are being seen in Kansas. They pose significant risks to illicit drug users, law enforcement officers, and forensic scientists that come in contact with them.

O-desmethyltramadol is also a synthetic opioid analgesic being marketed and sold as a “legal opiate substitute” and is readily available on the internet. It is sometimes used in herbal mixtures like “spice” and is significantly more potent than its parent tramadol.

Etizolam is a short-acting psychoactive drug being marketed and sold as a “research chemical” and is readily available on the internet. It recently caused an epidemic of overdoses among teens and college students in the Kansas City metropolitan area and has been detected in lab submission received by the KBI Forensic Science Laboratory.

Update existing synthetic cannabinoid class in Schedule I

Synthetic cannabinoids, another class of “Designer Drugs”, pose significant risks to the health and wellbeing of persons who consume them. These chemicals are often sprayed onto botanical substances and marketed as “potpourri” or “spice”. When smoked, they cause users to become violently ill or lose consciousness.

In response to the growing trends in use of Designer Drugs and the challenges they present in scheduling, Kansas has adopted a “class” approach to drug scheduling. This year, we propose updating some existing synthetic cannabinoid class definitions to include a fluoro-benzyl substitution.

Other changes to federal schedule

Thiafentanil is being placed in Schedule II and Brivaracetam in Schedule V in accordance with recent modifications to the federal drug schedule.

Timely passage of Senate Bill 52 is critical. The changes included therein help manage the threat these abused compounds pose to the health and safety of Kansas citizens.

The Kansas Bureau of Investigation strongly supports these statutory amendments, as well as the amendment made by the Senate Health and Public Welfare Committee, and respectfully asks the Committee to recommend Senate Bill 52 favorably for passage.

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