



Kansas County & District Attorneys Association

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January 23, 2017

Senate Standing Committee on Public Health and Welfare
Attention: Senator Vicki Schmidt, Chairwoman
State Capitol, Room 445-S
Topeka, Kansas 66612-1504

Re: Senate Bill 51

Dear Chairwoman Schmidt,

Thank you for allowing me the opportunity to testify in support of Senate Bill 51 which amends the definition of controlled substance analog and expands the authority of the Kansas Board of Pharmacy to schedule dangerous drugs on an emergency basis. These amendments are critical to the public safety of Kansas citizens.

Why is it imperative to grant the Board of Pharmacy the authority to schedule emergency hearings? We live in a time where synthetic/designer drugs are prevalent; as soon as one drug is scheduled, compounds are quickly tweaked making a "new" drug in order to thwart law enforcement efforts. It has been increasingly difficult to keep up with scheduling these drugs that have come into our community due to the manner in which the Board of Pharmacy's emergency scheduling procedure is triggered; this procedure has handicapped the Board of Pharmacy and threatens public safety. My experience with U-47700 is an example of this.

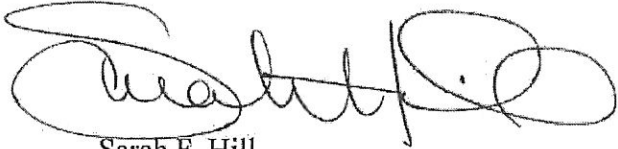
In May 2016, I was made aware that U47700 had killed at least two people in my community, Johnson County. U-47700 is a synthetic opiate. It is considered an analog of the federally controlled substance, AH-7921. At the time these deaths happened, AH-7921 was not controlled in Kansas. Because U-47700 was not considered an analog of anything that Kansas had scheduled as a controlled substance at the time, I could not file a criminal case under K.S.A. 21-5430 or K.S.A. 21-5705. Because I could not file a criminal case alleging U-47700 was an analog of a Kansas controlled substance, that meant that the Board of Pharmacy could not meet to discuss emergency scheduling. What we are left with, nearly eight months after people died from using this drug, is U-47700 remaining a legal and deadly drug in Kansas to this day.

Senate Bill 51 would give the Board of Pharmacy the authority to meet and emergency schedule a drug that is dangerous to Kansas citizens without the requirement that the drug be an analog. Given the prevalence of synthetic drugs infiltrating our communities, this is a much needed amendment to protect public safety.

The Kansas County & District Attorneys Association supports Senate Bill 51 and respectfully asks the Committee to recommend it favorably for passage.

I thank you for your time and would be happy to answer any questions you may have regarding the proposed legislation.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sarah F. Hill', with a large, stylized flourish at the end.

Sarah F. Hill
Johnson County Assistant District Attorney
KCDAA Drug Section Chair