



SB298: Updates to the C.S.A.

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Opponent Testimony March 26, 2021 Senate Public Health and Welfare

Chair: Senator Richard Hildebrand



Why Opponent

**CANNABIS:
AKA
MARIJUANA
MARIHUANA OR HEMP
SHOULD NOT BE A
CONTROLLED SUBSTANCE**



DSM SUD's: Just Say NO to DSM-V

Impact of the DSM-IV to DSM-V Changes on the National Survey on Drug use and Health

SAMHSA

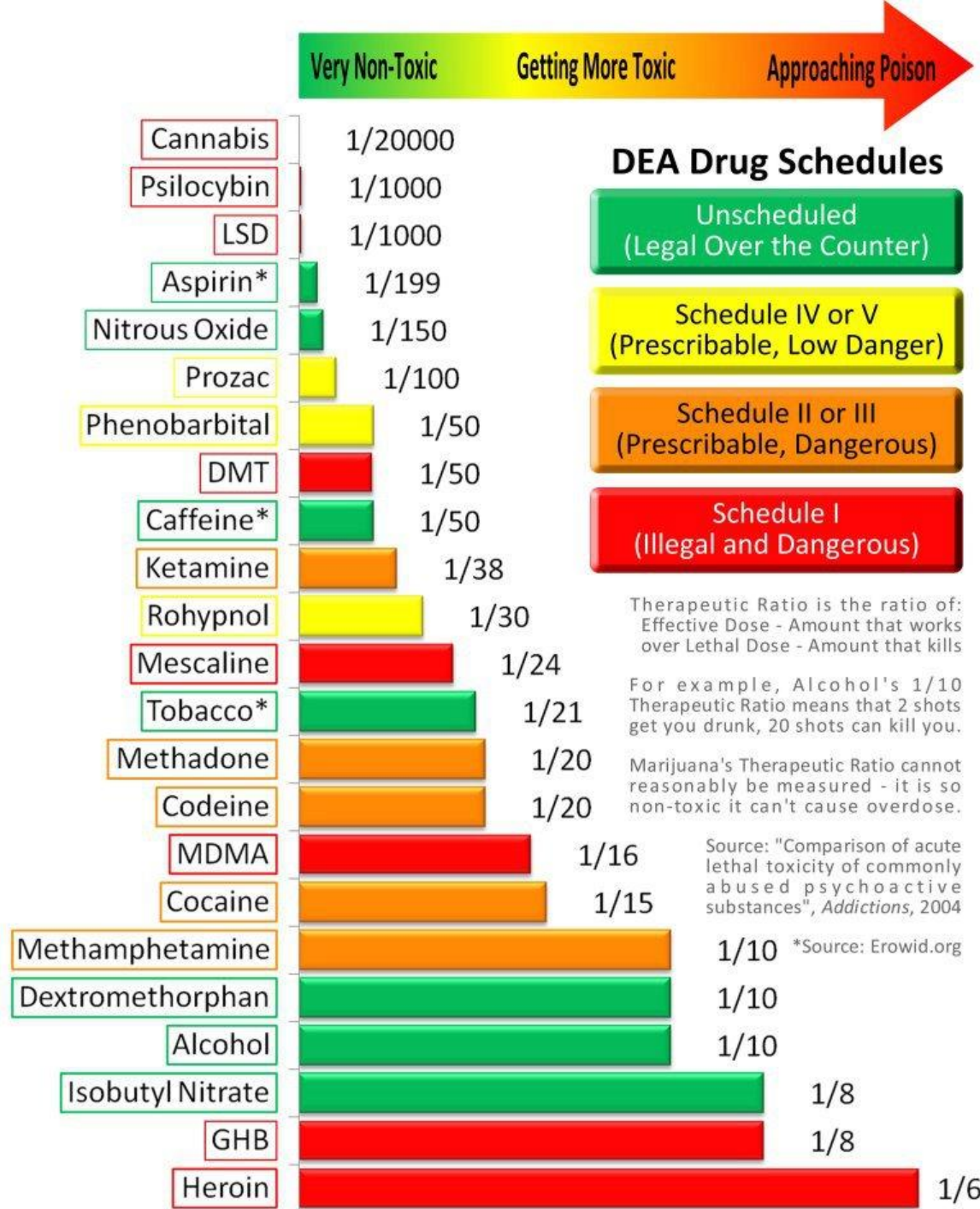
Center for Behavioral Health Statistics and Quality

June 2016

- ▶ Alcohol Use Disorder
 - ▶ FDA MAT
 - ▶ Deterrant
- ▶ Caffeine Use Disorder
- ▶ Cannabis Use Disorder
- ▶ Phencyclidine Use Disorder and Other Hallucinogen Use Disorder
- ▶ Inhalant Use Disorder
- ▶ Opioid Use Disorder
 - ▶ FDA MAT
 - ▶ opioid
- ▶ Sedative, Hypnotic or Anxiolytic Use Disorder
- ▶ Stimulant Use Disorder
- ▶ Tobacco Use Disorder
 - ▶ FDA MAT
 - ▶ Nicotine

Atypical use of FDA approved drugs for non-FDA approved SUD treatments

Extrapolation: Substance use for mental health disorder: Use of anti-depressant, anxiety etc.



Therapeutic Ratios of Common Psycho-actives

Title 21 U.S.C. (Controlled Substances Act)
Subchapter 1

(6) The term controlled substance does not
include distilled spirits, wine, malt
beverages, or tobacco

Schedule I:

Cannabis

Schedule II:

Methamphetamine/fentanyl/oxycotin


Cannabis Use Disorder: MAT (Atypical)

Ambien

Side Effects include blackouts

BuSpar

Side Effects Changes in weight or
appetite, fainting, changes in blood
pressure, muscle cramps or spasms, and
redness or itching of eyes may occur in
some instances. Allergic reaction (difficulty
breathing; hives; swelling of your lips,
tongue or face); chest pain or an irregular
heartbeat; slurred speech; confusion or
blurred vision; numbness or tingling in your
hands, feet, arms, or legs; or uncontrollable
movements of your arms, legs, tongue, or
lips



Psycho-active* lobbyist groups affecting public policy- 2019

- ▶ Altria Client Services LLC (3)
- ▶ Anheuser-Busch Companies (5)
- ▶ Artisan distillers of Kansas (1)
- ▶ Cigar Association of America (2)
- ▶ Craft Brewers Guild of Kansas (1)
- ▶ Distilled Spirits Council of U.S. (1)
- ▶ General Cigar (1)
- ▶ Kansas Assoc. of Bev. Retailers (1)
- ▶ Kansas Beer Wholesalers Assoc. (3)
- ▶ Standard Beverage (1)
- ▶ Swisher International (1)
- ▶ Kansas Beverage Assoc. (5)
- ▶ Kansas Grape Growers and Winemakers Assoc. (1)
- ▶ Kansas Homebrewers Alliance (1)
- ▶ Kansas Licensed Bev. Assoc. (1)
- ▶ Kansas Vapors Association (1)
- ▶ Kansas Wine and Spirits Wholesalers Association (1)
- ▶ Lukas Wine and Spirits (1)
- ▶ RAI Services Co. (7)
- ▶ Southern Glazer's Wine and Spirits (1)
- ▶ Wine Institute (1)

Does not include pharmaceuticals *Exempt CSA

Caffeine

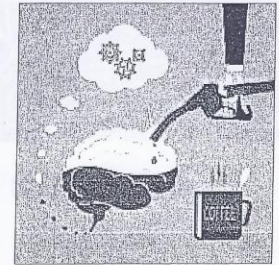
- ▶ Journal of Caffeine Research
 - ▶ Vol. 3 #3 2013; Mary Ann Liefbert. In
- ▶ Caffeine Use disorder:
 - ▶ A comprehensive review and research agenda
 - ▶ Steven Meredith, Laura M. Juliang, John Hughes, Roland Griffiths
- ▶ Effects of Adolescence Caffeine Consumption on Cocaine Sensitivity
 - ▶ O'Neil, Levis, Schreiner, Amat, Maier, Bachtell
- ▶ Energy Drink Deaths
 - ▶ <https://ods.od.nih.gov/pubs/energydrinks2013/mattia.pdf>

Adolescent Caffeine Use and Cocaine Sensitivity

Science Highlight

November 19, 2014

Caffeine is the most widely used stimulant in the world and use by adolescents has more than doubled since 1980. Chronic caffeine use produces greater tolerance in adolescents compared with adults, suggesting that caffeine may cause greater brain changes in young people. Caffeine consumption is also known to be correlated with increased risk for illicit drug use and substance use disorders (as noted in a recent editorial in *Addiction*).". Since caffeine effects brain areas and circuits where cocaine acts, this study explored whether caffeine use by adolescents can impact the brain's sensitivity to cocaine in adulthood.



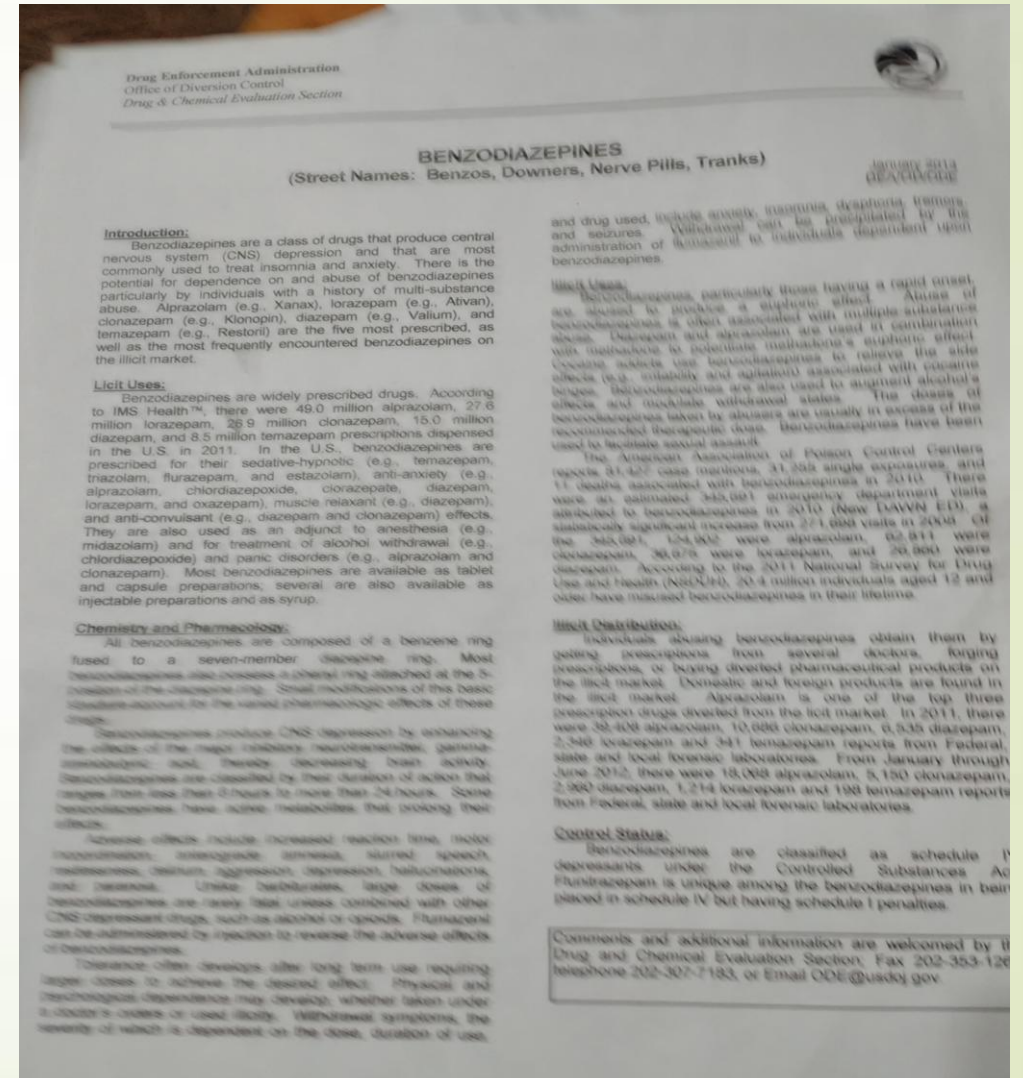
In a new study, rats that were treated with caffeine in adolescence showed an increased sensitivity to cocaine as adults that was associated with altered dopamine signaling in brain reward pathway involved in addiction. These changes were not seen in animals that were given caffeine as adults. These results highlight that adolescent brains are still developing and can be impacted by substances in ways that are different from fully developed adult brains. Caffeine use by adolescents may prime the still developing brain for later use of other illicit drugs.

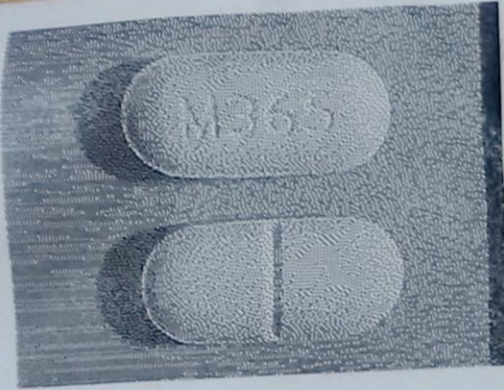
Study:

Effects of Adolescence Caffeine Consumption on Cocaine Sensitivity, Casey E. O'Neill, Sophia C. Levis, Drew C. Schreiner, Jose Amat, Steven F. Maier, Ryan K. Bachtell,

Benzodiazepines

- What
 - Americans love caffeine
 - Substance Use Disorder
 - Intoxication
 - Withdrawal
 - Misdiagnosed anxiety
 - Prescribed
 - Valium etc





PRODUCT INFORMATION:

DRUG: HYDROcodone-ACETAMINOPHEN 5-325 TAB

GENERIC NAME: HYDROCODONE/ACETAMINOPHEN - ORAL - Information last revised August

2018. Copyright(c) 2018 First Databank, Inc.

00406-0123-01

Color: white

Imprint 1: M365

Shape: oblong

USES: This combination medication is used to relieve moderate to severe pain. It contains an opioid (narcotic) pain reliever (hydrocodone) and a non-opioid pain reliever (acetaminophen). Hydrocodone works in the brain to change how your body feels and responds to pain. Acetaminophen can also reduce a fever. This product is not recommended for use in children younger than 6 years due to an increased risk of serious side effects (such as slow/shallow breathing).

HOW TO USE: See also Warning section. Read the Medication Guide and, if available, the Patient Information Leaflet provided by your pharmacist before you start taking this medication and each time you get a refill. If you have any questions, ask your doctor or pharmacist. Take this medication by mouth as directed by your doctor. You may take this drug with or without food. If you have nausea, it may help to take this drug with food. Ask your doctor or pharmacist about other ways to decrease nausea (such as lying down for 1 to 2 hours with as little head movement as possible). If you are using a liquid form of this medication, use a medication measuring device to carefully measure the prescribed dose. Do not use a household spoon because you may not get the correct dose. The dosage is based on your medical condition and response to treatment. In children, the dosage is also based on weight. Do not increase your dose, take the medication more frequently, or take it for a longer time than prescribed. Properly stop the medication when so directed. Pain medications work best if they are used as the first signs of pain occur. If you wait until the pain has worsened, the medication may not work as well. If you have ongoing pain (such as due to cancer), your doctor may direct you to also take long-acting opioid medications. In that case, this medication might be used for sudden (breakthrough) pain only as needed. Other pain relievers (such as ibuprofen, naproxen) may also be prescribed. Ask your doctor or pharmacist about using this product safely with other drugs. This medication may cause withdrawal reactions, especially if it has been used regularly for a long time or in high doses. In such cases, withdrawal symptoms (such as restlessness, watering eyes, runny nose, nausea, sweating, muscle aches) may occur if you suddenly stop using this medication. To prevent withdrawal reactions, your doctor may reduce your dose gradually. Ask your doctor or pharmacist for more details, and report any withdrawal reactions right away. When this medication is used for a long time, it may not work as well. Talk with your doctor if this medication stops working well. Though it helps many

Insys Therapeutics

- ▶ Subsys
 - ▶ Fentanyl-based spray
 - ▶ 50 to 100 times more potent than morphine
- ▶ November 2016
 - ▶ Arizona Prop. 205 fails
 - ▶ 51%-49%
 - ▶ \$500,000 donation to organization opposing measure
 - ▶ August
 - ▶ All other (8) passed
 - ▶ Maine, Mass., Arkansas, Cali.,
- ▶ Psychology on doctors
 - ▶ Marketing practices
 - ▶ Alec Burlakoff
- ▶ Syndros
 - ▶ Synthetic THC
 - ▶ FDA approval July 2016
 - ▶ Nausea and weight loss
 - ▶ Schedule 2
- ▶ Criminal Investigation and convictions



Cannabis: Marijuana, Marihuana, and Hemp

- ▶ Harry Anslinger
 - ▶ Reefer Madness
- ▶ William Randolph Hearst
 - ▶ Newspaper
 - ▶ Chemicals
 - ▶ Lumber
- ▶ Dupont
 - ▶ Nylon
- ▶ Rockefeller
 - ▶ Oil
- ▶ Nutrition
- ▶ Eugenics

Outlaw the
natural to
monopolize the
synthetic



Whereas: Cannabis

- ▶ Used as a food, fiber, fuel and therapeutic herb source for thousands of years
- ▶ 1972 Shafer Commission found cannabis did not meet criteria for Schedule 1
- ▶ National Conference of State Legislatures advocates for state's right's
- ▶ No reliable research on the effects of cannabis has shown its use to be as hazardous to the public or the individual user as the use of tobacco, alcohol or many other stimulants and depressants legally available to the public, such as refined sugar and caffeine.
- ▶ Asset seizure programs create incentive for LE
- ▶ Prohibition has diverted law enforcement resources away from violent criminals and furthers cartel activities
 - ▶ Street dealers don't card
- ▶ Highly beneficial to environment when allowed to grow naturally (Clark and Pate, 1997)
- ▶ Existing laws have not had an impact on availability or demand
- ▶ Disparities in enforcement
 - ▶ Political weapons against young minorities
 - ▶ Capitalism vs crony capitalism

Other Reference

- ▶ 270% increase in the number of antipsychotic prescriptions for Medicaid children in Kentucky between 2000 and 2010
 - ▶ March 2015 Governing magazine
- ▶ Kevin Keller ‘
 - ▶ Newsweek 10-12-17 How the VA fueled the national opioid crisis and is killing thousands of veterans
 - ▶ <https://www.newsweek.com/2017/10/20/va-fueled-opioid-crisis-killing-veterans-681552.html>
- ▶ FDA
 - ▶ Food Additives and HPHC’s
 - ▶ <https://www.fda.gov/tobacco-products/rules-regulations-and-guidance/harmful-and-potentially-harmful-constituents-tobacco-products-and-tobacco-smoke-established-list>
 - ▶ <https://www.fda.gov/food/foodingredients-packaging/foodadditive-listings>
 - ▶ Hand Sanitizer- www.thehill.com
 - ▶ <https://brighterworld.mcmaster.ca/articles/study-suggests-cannabis-does-not-increase-suicidal-behaviour-in-psychiatric-patients/>



Other Information



- ▶ Patent 6630507
 - ▶ Cannabinoids as anti-oxidant anti-inflammatory and neuro-protectant
- ▶ EndoCannabinoidSystem (ECS) deficiency
- ▶ THC and Alzheimer's Cao C Dig2014
- ▶ Corrections and Juvenile Justice Oct 22-23 2018
 - ▶ K2
 - ▶ Turnover
 - ▶ Recidivism

Question

- ▶ What would the impact be if Cannabis possession was not a crime and use was not a supervision violation?
 - ▶ CINC
 - ▶ Jails
 - ▶ Prisons
 - ▶ SB 123
 - ▶ Your organization
 - ▶ Suffering of children with neurological diseases
 - ▶ Suffering of synthetic substance users



What is past, is prologue

- <https://www.atf.gov/firearms/identify-prohibited-persons>
 - The Gun Control Act (GCA), codified at 18 U.S.C. § 922(g), makes it unlawful for certain categories of persons to ship, transport, receive, or possess firearms or ammunition, to include any person:
 - *who is an unlawful user of or addicted to any controlled substance (as defined in section 102 of the Controlled Substances Act, codified at 21 U.S.C. § 802);*
 - *who has been adjudicated as a mental defective or has been committed to any mental institution;*
- States nullifying federal gun laws
- PTSD/Co-Occuring
- Line in the sand

Conclusion

**As the Gordian Knot
Turns**

**Constitutional
approach**

**Hard on actual
threats to Public Safety**

DSM-V SUD research

**Cannabis should be
de-scheduled**

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