

MINUTES OF THE PUBLIC HEALTH AND WELFARE COMMITTEE

The meeting was called to order by Chairman Vicki Schmidt at 1:30 p.m. on March 3, 2011, in Room 546-S of the Capitol.

All members were present except:

Senator Mary Pilcher-Cook, excused

Committee staff present:

Nobuko Folmsbee, Office of the Revisor of Statutes

Katherine McBride, Office of the Revisor of Statutes

Melissa Calderwood, Kansas Legislative Research Department

Iraida Orr, Kansas Legislative Research Department

Estelle Montgomery, Kansas Legislative Research Department

Carolyn Long, Committee Assistant

Conferees appearing before the Committee:

Jeremiah Morris, Senior Forensic Scientist, Johnson County Sheriff's Office

Chief James D. Hill, City of Salina

Others attending:

See attached list.

The Chair called for approval of the minutes, as presented, for February 9, February 10, February 14, February 15, February 16, February 17 and February 21, 2011. Moved by Senator Kelsey, seconded by Senator Brungardt. Motion carried.

The Chair opened the hearings on **HB 2049—Amending the controlled substances schedule regarding tetrahydrocannabinols and related substances** and **HB 2249—Adding chemical compounds known as “bath salts” to the controlled substances schedule**. The Chair indicated that although they were introduced in the House separately, it was the committee's intent to combine the two into a substitute bill which would merge the language of both bills; therefore, conferees, when appearing, could speak on behalf of both.

HB 2049 would amend KSA 65-4105 concerning controlled substances included in schedule 1. A type of synthetic marijuana commonly referred to as K-3 would be included in the new subsection. It would also move Tetrahydrocannabinols, commonly known as THC to a new subsection addressing cannabinoids. It would be illegal to cultivate, distribute, possess, or possess with the intent to distribute the substances.

HB 2249 would add substituted cathinones, or “bath salts” to the list of schedule I controlled substances, which would make it illegal to sell or possess the drugs.

Jeremiah Morris, Senior Forensic Scientist, Johnson County Sheriff's Office Criminalistics Laboratory, spoke in favor of both bills. He stated that **HB 2049** takes an unprecedented approach to control by adding several general classes of synthetic cannabinoids to the list of Schedule I controlled substances (Attachment #1). **HB 2249** takes a proactive approach to controlling substituted cathinones. This also uses the general chemical class approach, the benefit of which allows substituted cathinones immediate control. Manufacturers of these “bath salts” understand the law and know several compounds are available to them. Kansas forensic laboratories agree that chemical class approach would be the best and most effective means of controlling substituted cathinones. Support of both of these bills would prohibit illicit possession and abuse of these substituted cathinones but would not restrict legitimate research (Attachment #2).

Chief James D. Hill, City of Salina shared with the committee the alarming rise in popularity the synthetically altered potpourri and/or bath salt compounds are experiencing. It is unclear as to whether the phenomenon of synthetic cannabinoids and bath salts is a passing fancy or a long-term substance abuse trend that will remain in vogue. It is clear however that it has proven to be very profitable for the people manufacturing and selling them and devastating to the people who choose to ingest them. Very little is known about the pharmacology, toxicology and safety profile of these compounds in humans. He urged the legislature to close the legal loopholes that allow these dangerous drugs to be sold to Kansas citizens (Attachment #3).

CONTINUATION SHEET

The minutes of the Public Health and Welfare Committee at 1:30 p.m.. on March 3, 2011, in Room 546-S of the Capitol.

The Committee's attention was directed to written testimony from Mike Jennings, Assistant District Attorney, Wichita/Sedgwick County (Attachment #4), Thomas R. Stanton, Deputy Reno County District Attorney (Attachment #5), Debra Billingsley, The Kansas Board of Pharmacy (Attachments #6 and #7), Brandy Taylor (Attachment #8), and Ed Klumpff, Kansas Sheriff's Association(Attachment #9).

There being no further conferees, the hearings on **HB 2049** and **HB 2049** were closed.

The next meeting is scheduled for March 7, 2011.

The meeting was adjourned at 2:30 p.m.

SENATE PUBLIC HEALTH AND WELFARE COMMITTEE GUEST LIST

DATE: March 3, 2011

NAME	REPRESENTING
Jeremiah Morris	Johnson Co 50
Christopher Jordan	Sen. Morris
Laura Miller	Rooks Co.
Elise Keister	Kansas Farm Bureau-Riley Co.
Kara Sealack	KFB
Angela Weeks	Marshall Cty voter
Hezekiah A. Carlin	Osborne Co. Farm Bureau
Lynn Wolf	KS Farm Bureau
Todd Egan	Ks. Republican Assoc.
Berend Koops	NACDS
Travis Lowe	Little Govt Relations
Cyndi Treaster	Citizen
Valerie	TSCD cum lab
Ed Kuntz	KACP/KSA/KABA
Bob Keller	JLSD
Leigh Keck	Capitol Strategies
Sandy Mahan	GPA

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GARY R. HOWELL
LABORATORY DIRECTOR

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Date: February 25, 2011

To: Chairperson Schmidt and distinguished members of the Public Health and Welfare Committee

My name is Jeremiah Morris and I am a Senior Forensic Scientist with the Johnson County Sheriff's Office Criminalistics Laboratory. I offer testimony today in support of House Bill 2049 which seeks to amend K.S.A 65-4105 to add several general classes of synthetic cannabinoids to the list of Schedule I controlled substances.

Marijuana and its active component tetrahydrocannabinol (THC) are both listed as schedule I controlled substances federally and in the State of Kansas. In 2010, three synthetic cannabinoids – HU-210, JWH-018, and JWH-073 – were added to the Kansas statutes as schedule I controlled substances. These compounds were commercially available in herbal incense products and were reportedly several times more potent than THC. Since the addition of these compounds to the statutes, numerous additional synthetic cannabinoids have appeared in herbal incense products. The transition from JWH-018 and JWH-073 to these other compounds was meant to avoid criminal prosecution and also to distribute highly potent synthetic cannabinoids, sometimes more potent than the original products.

The presence of synthetic cannabinoids in herbal smoking blends is extremely troubling for a number of reasons. First, despite the lack of thorough safety and toxicological studies on these compounds, products containing these compounds have been linked to a number of health concerns in Kansas and across the country. Hospitalizations, emergency room visits, and calls to poison control centers have increased everywhere these products are sold. They produce extreme tachycardia, extreme paranoia, hallucinations, and loss of consciousness, to name a few. Sadly, a number of deaths have been reported across the country, and even in Kansas, due to ingestion of these compounds. Second, at least two different publications have made a link between synthetic cannabinoids and the onset of schizophrenia in vulnerable individuals. Third, one published study, and numerous personal stories, prove these compounds, when abused, create dependency.

House Bill 2049 takes an unprecedented approach to controlling these synthetic cannabinoids. Rather than list compounds individually, this bill proposes controlling these compounds using a general chemical class approach. The benefit of this approach is hundreds of synthetic cannabinoids will be controlled immediately. Manufacturers of these herbal incense blends understand the law and know vast numbers of compounds are available to them. The past year has demonstrated their determination to stay several steps ahead of the law by transitioning away from scheduled compounds to uncontrolled compounds. Nearly twenty non-controlled compounds have been detected in these products. The general chemical class approach will control every single one of these twenty compounds in addition to over a hundred or more additional compounds with the potential

Senate Public Health and Welfare
Date 3-3-2011
Attachment 1

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for abuse but not yet included in these herbal incense products. The general chemical class approach has been used for years in the United Kingdom and is being considered by several States for synthetic cannabinoids. Forensic laboratories in Kansas agree that this is the best and most effective means of controlling synthetic cannabinoids.

In summary, the Johnson County Sheriff's Office Criminalistics Laboratory supports House Bill 2049 and the amendment to K.S.A 65-4105 to add several general classes of synthetic cannabinoids to the list of Schedule I controlled substances. This bill will prohibit illicit possession and abuse of these synthetic cannabinoids but not restrict legitimate research, either.

Respectfully,
Jeremiah Morris
Senior Forensic Scientist, Johnson County, KS Sheriff's Office

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Date: February 25, 2011

To: Chairperson Schmidt and distinguished members of the Public Health and Welfare Committee

My name is Jeremiah Morris and I am a Senior Forensic Scientist with the Johnson County Sheriff's Office Criminalistics Laboratory. I offer testimony today in support of House Bill 2249 which seeks to amend K.S.A 65-4105 to add the general chemical class of substituted cathinones to the list of Schedule I controlled substances.

Cathinone and methcathinone are both listed as schedule I controlled substances federally and in the State of Kansas. Both are stimulants to the central nervous system. Cathinone is the active constituent of the plant *khat* while methcathinone is structurally similar to methamphetamine.

In the summer of 2009, the Johnson County Sheriff's Office crime lab identified 4-methylmethcathinone (mephedrone, 4-MMC) in a case submission. This was the first of a number of substituted cathinones to be submitted to the crime lab in case submissions. These compounds are often found in a class of novelty products commonly sold as "bath salts." To date, a number of substituted cathinones have been detected nationally and internationally in bath salt products. These include mephedrone, 4-fluoromethcathinone (flephedrone), 3,4-methylenedioxymethcathinone (methyline), 3,4-methylenedioxypyrovalerone (MDPV), butylone, and naphyrone, to name a few. All of these compounds have a stimulant effect on the central nervous system and are currently not covered by Kansas or Federal statutes.

In addition to calls to poison control centers, emergency room visits, over-doses, and suicides, the compounds in the bath salts products have been directly linked to several harmful physical and psychological conditions. Specifically, mephedrone has been linked to dependence, psychosis, methaemoglobinaemia, myocarditis, and serotonin syndrome, to name a few. Since the beginning of 2010, mephedrone has been directly linked to 48 deaths in England, Scotland, and surrounding localities. Limited data on other substituted cathinones indicate they have a strong potential for similar adverse effects.

House Bill 2249 takes a proactive approach to controlling substituted cathinones. Rather than list compounds individually, this bill proposes controlling these compounds using a general chemical class approach. The benefit of this approach is numerous substituted cathinones will be controlled immediately. These include compounds currently available on the market and several others with a strong potential to make it to the market. Manufacturers of these bath salts understand the law and know several compounds are available to them. Regarding the issue of synthetic cannabinoids, the past year has demonstrated their determination to stay several steps ahead of the law by transitioning away from scheduled compounds to uncontrolled compounds. The

Senate Public Health and Welfare
Date 3-3-2011
Attachment 2

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general chemical class approach has been used for years in the United Kingdom and is being considered by several States for substituted cathinones and synthetic cannabinoids. Forensic laboratories in Kansas agree that this is the best and most effective means of controlling substituted cathinones

In summary, the Johnson County Sheriff's Office Criminalistics Laboratory supports House Bill 2249 and the amendment to K.S.A 65-4105 to add the general chemical class of substituted cathinones to the list of Schedule I controlled substances. This bill will prohibit illicit possession and abuse of these substituted cathinones but not restrict legitimate research, either.

Respectfully,
Jeremiah Morris
Senior Forensic Scientist, Johnson County, KS Sheriff's Office



OFFICERS

Jim Daily
President
Newton Police Dept.

Mike Keller
Vice President
Andover Police Dept.

Sean Wallace
Sergeant at Arms
Arkansas City Police Dept.

Bob Sage
Treasurer
Rose Hill Police Dept.

Dan Shanks
Recording Secretary
Oakley Police Dept.

James Hill
SACOP Representative
Salina Police Dept.

Todd Ackerman
Immediate Past President
Marysville Police Dept.

Doyle King
Executive Director
KACP

REGIONAL REPRESENTATIVES

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Region I
KU Public Safety Dept.

Sam Budreau
Region II
Chanute Police Dept.

Ronnie Grice
Region III
KSU Public Safety Dept.

John Daily
Region IV
Bel Aire Police Dept.

James Braun
Region V
Hays Police Dept.

Vernon Ralston

Testimony of Chief James D. Hill, City of Salina Kansas Association of Chiefs of Police Representative To Senate Committee on Public Health and Welfare March 3, 2011

Dangerous, Unregulated Drugs Sold as Potpourri and Bath Salts

Law enforcement and medical personnel in Salina have experienced an alarming number of emergency calls to assist citizens whom, after ingesting herbal blends of synthetically altered potpourri and/or bath salt compounds, require immediate medical attention.

The recent appearance of synthetically altered potpourri and bath salts is not limited to Salina; this relatively new drug trend has also been noted by other Kansas law enforcement agencies across the state. It is unclear as to whether the phenomenon of synthetic cannabinoids and bath salts is a passing fancy or a long-term substance abuse trend that will remain in vogue. What is clear is that these mind altering "legal, designer drugs" have proven to be very profitable for the people manufacturing and selling them and devastating to the people who choose to ingest them.

Dried plant materials treated with synthetic cannabinoids are commonly sold under the names of K2 through K7 or "herbal potpourri." The substances, created in warehouse type environments by makeshift manufacturers, consist of spraying common potpourri leaves with chemicals such as ethyl alcohol or acetone, combined with synthetic compounds such as JWH-250, among others, which skirt existing legal controls in Kansas.

Depending on the mixture, the strength of these clandestine drugs range from weak to an extremely high potency. The physical effects on persons ingesting the compounds vary drastically.

Synthetic drug use in Salina and elsewhere across Kansas has resulted in reports of individuals experiencing severe adverse effects, to include agitation, anxiety, elevated blood pressure, intense hallucinations, numbness, pallor, tachycardia, tingling, vomiting and, in some cases, tremors and seizures.

Bath salts sold by retailers in Salina, innocuously labeled as "Ivory Wave" or "Vanilla Sky," are dangerous drugs that should not be confused with any type of common bath salts. Chemicals found in the "salts" may include 3,4-Methylenedioxypyrovalerone (MDPV), 3,4-Methylenedioxymethcathinone (Methylone), and 4-Methylmethcathinone (Mephedrone), among others. These chemicals are very similar to methamphetamine, and have no legitimate use other than to provide a high for the user.

Herbal potpourri is smoked from pipes commonly used to smoke marijuana. "Bath salts" are ingested by placing the salt compounds directly in the mouth, smoking in glass "rose bud" type methamphetamine pipes, snorting or injecting the powder substance, or mixing the compounds in drinks. It is not uncommon for individuals to smoke potpourri and also ingest bath salts.

MDPV was directly linked to the death of a young male in St. Joseph, Missouri last year. We are currently awaiting toxicology results to determine if the December, 2010 death of Elijah Taylor, a 21-year-old University of Kansas student home on Christmas break, involved drugs sold as potpourri and/or bath salts. A friend who was with the decedent until just prior to his death told Salina police investigators that the decedent became very high after smoking herbal blend potpourri and "lost his mind." He was struck and killed after running in front of a vehicle traveling southbound on I-135. He was found to be in possession of a container of bath salts, which he had also reportedly ingested prior to his death.

Manufacturers and distributors market these dangerous products as potpourri, herbal blends and bath salts and label them "not for human consumption" to evade law enforcement scrutiny. In reality, this fraudulent labeling is a complete sham. These products are mind altering drugs, produced, marketed and purchased for human consumption in order that the consumer may experience a legal high. The Kansas Association of Chiefs of Police believes that immediate steps must be taken to regulate the manufacture, distribution, sale, use and possession of so called "potpourri" and "bath salt" compounds. Current Kansas law only outlaws the compounds known as JWH-018, JWH-073, HU-210 and the stimulants BZP and TFMPP. The law doesn't address equally dangerous and currently legal compounds, such as JWH-007; JWH-015; JWH-019; JWH-098; JWH-133; JWH-164; JWH-200; JWH-250; MDPV and other stimulants; and the list goes on and on.

The difficulty facing the Kansas legislature and all governing bodies in addressing these substances rests with the very nature of the compounds. There are reportedly over a hundred compounds with cannabinoid receptor

activity, and without comprehensive legislation, it can be assumed that new substances from different chemical groups will continue to appear on the drug scene as quickly as others are banned.

This is precisely what I-135/I-70 Drug Task Force Commander, Lt. Jim Norton, learned from a major Salina manufacturer and distributor of these currently legal drugs, when he told the lieutenant that if the compound he is currently using, JWH-250, is banned, he would just switch and treat his dried plant materials with another, legal compound. This individual, along with similarly situated individuals in Kansas and across the country, have reaped enormous profits selling chemically altered potpourri, and rest assured that they will attempt to exploit any and all loopholes in the law to ensure that the cash keeps flowing.

Very little is known about the pharmacology, toxicology, and safety profile of these compounds in humans. There appear to be significant health and public safety risks involved in ingesting these compounds, which have the potential to be extremely harmful due to their methods of manufacture and high pharmacological potency.

For example, following a recent Salina medical emergency, one subject reported that he placed potpourri, labeled "Blackberry Truffle, in a pipe and took "two hits off of it." He referred to the experience as "completely hallucinating, seeing all kinds of stuff, and talking to God and the devil." He became violent, and reported the next thing he remembered was waking up in the E.R.

During a recent discussion with the Co-Director of Salina Regional Health Center's Emergency Department, police were informed that the hospital's ER began seeing an increase in medical emergencies involving patients who had smoked potpourri starting in September of 2010. Although the medical director said that the number of medical emergencies has recently tapered off somewhat, he estimated that the ER had been treating approximately one case every other day. The most serious patient seen was a teenage boy brought in by ambulance from rural Saline County, who was found to be unresponsive and in respiratory distress. He was placed on a respirator and spent 10 days in the Intensive Care Unit. The ER physician advised that he was very concerned that the boy may not survive, and that he would have died without immediate medical care. One of the boy's friends admitted that they had smoked "herbal potpourri" purchased in Salina prior to the medical emergency.

These synthetic, designer drugs present a clear and present danger to the health, safety and welfare of every Kansan and every community, urban or rural, in our great state. On behalf of the Kansas Association of Chiefs of Police, I urge this committee and the Kansas legislature to close the legal loopholes that allow these dangerous drugs to be sold to our citizens.



Kansas County & District Attorneys Association

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TO: The Honorable Vicki Schmidt, Chair, Senate Standing Committee on Public Health and Welfare

From: Mike Jennings, Assistant District Attorney, Wichita/Sedgwick County

RE: H.B. 2049

Date: March 3, 2011

Thank you for the opportunity to testify in support of House Bill 2049 on behalf of the Kansas County and District Attorneys Association. We view this bill as a good bill.

It prohibits synthetic cannabinoids by descriptive categories (e.g., benzoylindoles in subparagraph 8 of 65-4105(h) of the bill). The description-based prohibitions will allow this law to be enforced against synthetic cannabinoids which are currently available on the street, as well as those which have not yet been developed if they use the prohibited ring in their molecular structure. Because synthetic cannabinoids are being developed and marketed aggressively today, the bill's descriptive prohibitions will remain an effective measure over time.

This bill is based on a description-based statute in the United Kingdom which has proved effective against synthetic cannabinoids. The KCDAA requests that the committee pass both HB 2049 and HB 2249 favorably. Thank you for your time and consideration of these important pieces of legislation.

Senate Public Health and Welfare

Date 3-3-2011

Attachment 4



Kansas County & District Attorneys Association

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TO: The Honorable Representatives of the Committee on Public Health and Welfare

FROM: Thomas R. Stanton
Deputy Reno County District Attorney
On behalf of the Kansas County and District Attorney Association

RE: House Bill 2249

DATE: March 3, 2011

Honorable Chairwoman Schmidt and Members of the Committee:

Thank you for allowing me to submit testimony regarding House Bill 2249. This legislation modifies K.S.A. 65-4105 to include classes of substances which have been shown to have serious mood-altering affects to those who use them, and which have no current medical use.

Last Christmas, a young Hutchinson man drove his vehicle wildly through the streets of the city, driving on the wrong side of the road, speeding, and eventually crashing into a tree. He was found outside the vehicle, acting and talking in a very bizarre manner. The young man was extremely fortunate that neither he, nor an innocent citizen, were injured or killed that night. It was determined he had used "Black Mamba," a substance sold as "incense," and sold in packaging indicating it was not for human consumption. The product was, in fact, a synthetic cannabinoid, which was purchased and used for the purpose of getting high. I believe that those who sell the product know very well the purpose for which it is being purchased.

You will or have previously heard testimony regarding a young man's use of "bath salts" in Salina, resulting in that young man's death. "Bath salts," and some similar substances being marketed to our young people as safe, legal substances which can be used to get high, are in reality dangerous drugs related to cathinone and methcathinone, two substances which are already controlled under the uniform controlled substances act.

Bills have been introduced in the past few years to criminalize dangerous substances which have resulted in serious injuries and death when used by the citizens of this State. These substance, such as salvia divinorum, gypsum weed, BZP, and substances found in what came to be known as "K-2," were used more and more by young people to obtain altered states of consciousness, often resulting

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Attachment 5

in tragic consequences. These substances were used because they were marketed as "legal," meaning, of course, that they had not yet been scheduled as controlled substances.

The attempts to control the use of dangerous new drugs seemed always to be reactionary, rather than attempts to get ahead of the situation. This was because every time we were successful in scheduling a drug, some chemist somewhere would find a way to slightly alter a drug's chemical configuration, creating a new drug which fell outside the specific controlled substance while maintaining the mood-altering affects of the drug. These altered chemical configurations are being marketed by unscrupulous, greedy drug dealers masquerading as legitimate merchants as "potpourri" or "incense" or "bath salts." In reality, the substances are synthetic cannabinoids and analogs of the controlled substances cathinone and methcathinone.

House Bill 2049 takes a new approach to the issue, resulting in a proactive piece of legislation. That bill would outlaw classes of substances known as synthetic cannabinoids, and eliminate the ability of chemists to get around the law by simple modification of existing base substances. The legislation controls classes of chemical structures which represent the base structure of the drugs which our young people are using.

House Bill 2249 uses the same approach with regard to analogs of cathinone and methcathinone. I worked with Chris Riddle of the K.B.I. to develop the language for this bill. The language mirrors the manner in which the United Kingdom has dealt with this issue. The legislation uses the same theory as House Bill 2049 in identifying classes of drugs which would be controlled. This bill has the same proactive effect on the issue of controlling these designer drugs. Please support House Bill 2249.

Respectfully submitted,

Thomas R. Stanton

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Debra L. Billingsley, Executive Secretary

Board of Pharmacy

Sam Brownback, Governor

Testimony concerning HB2049 Amending the Controlled
Substance Schedule regarding
Tetrahydrocannabinols and related substances
Senate Committee on Public Health and Welfare
Presented by Debra Billingsley
on behalf of
The Kansas Board of Pharmacy
March 3, 2011

Madam Chair, Members of the Committee:

My name is Debra Billingsley, and I am the Executive Secretary of the Kansas Board of Pharmacy. Our Board is created by statute and is comprised of seven members, each of whom is appointed by the Governor. Of the seven, six are licensed pharmacists and one is a member of the general public. They are charged with protecting the health, safety and welfare of the citizens of Kansas and to educate and promote the understanding of pharmacy practices in Kansas.

The Board met on December 2, 2010 and reviewed the proposed synthetic marijuana legislation that would amend K.S.A. 65-4105 of the Controlled Substance Act. The amendment would restrict synthetic cannabinoids by class rather than each individual chemical compound. The synthetic cannabinoid class of drugs is expanding at such a rapid pace that the amendment was drafted to provide another option of restricting these drugs in Kansas.

The THC-like synthetic cannabinoids have similar properties to tetrahydrocannabinol or THC found in marijuana with purported psychotropic effects. They have a high potential for abuse, no currently accepted medical use in treatment in the United States and are not safe for use under medical supervision. The Board of Pharmacy supports scheduling synthetic cannabinoids by class as they have no current medical use or non-medical use known to the Board.

Thank you for permitting me to testify. I will yield to any questions from the committee.

Senate Public Health and Welfare
Date 3-3-2011
Attachment 6

800 SW Jackson St., Suite 1414
Topeka, KS 66612



Debra L. Billingsley, Executive Secretary

Board of Pharmacy

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Sam Brownback, Governor

Testimony concerning HB2249 Amending the Controlled
Substance Schedule relating to
Cathinones
Senate Committee on Public Health and Welfare
Presented by Debra Billingsley
on behalf of
The Kansas Board of Pharmacy
March 3, 2011

Madam Chair, Members of the Committee:

My name is Debra Billingsley, and I am the Executive Secretary of the Kansas Board of Pharmacy. Our Board is created by statute and is comprised of seven members, each of whom is appointed by the Governor. Of the seven, six are licensed pharmacists and one is a member of the general public. They are charged with protecting the health, safety and welfare of the citizens of Kansas and to educate and promote the understanding of pharmacy practices in Kansas.

The Board met on February 10, 2011 and reviewed the proposed legislation that would amend K.S.A. 65-4105 of the Controlled Substance Act. The amendment would add synthetic cathinones to the Schedule I Controlled Substance list.

Synthetic cathinones are a hallucinogenic and stimulate the central nervous system. They have a high potential for abuse, no currently accepted medical use in treatment in the United States and are not safe for use under medical supervision. The Board of Pharmacy supports scheduling synthetic cathinones as a Schedule I drug.

Thank you for permitting me to provide testimony.

Senate Public Health and Welfare
Date 3-3-2011
Attachment 7

To: Senate Public Health and Welfare Committee
From: Brandy Taylor
3/3/11
RE: HB 2249

Thank you for allowing me to submit written testimony for HB 2249. I cannot speak as to the prescribed drugs' terms that this bill addresses as anything other than by their street names, bath salts and potpourri. I can only speak using these terms and came to know about them through my little brother, Elijah, who was killed in an accident in association with these substances. I know of my brother being on these substances two times and the second time killed him.

The first time he was on these substances was over Thanksgiving break, he came home shaking and said that a girl had said it was similar to cocaine, but lasted longer (bath salts). The next day he cried as he told a friend and myself that he knew it was because all the positive chemicals in his brain had been used up the day before and that he just could not help but cry.

On his first day back home for Christmas break, Elijah started his day off with his best friend offering him bath salts in order to combat the "down" that is so often associated with amphetamine, they began smoking the potpourri, a lot of it. Elijah became disoriented and began having a panic attack, hallucinating and screaming. He physically fought with his best friend and ended up being left on the side of the interstate, with no coat, no glasses and no cell phone. When he tried to wave down a car, he had no depth perception and was struck by a van.

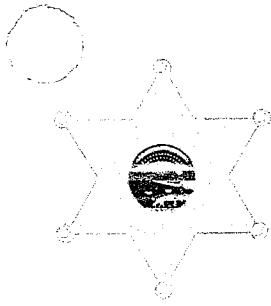
His best friend quickly became addicted to the bath salts and now lives with the knowledge that his addiction to these "safe" substances may have had something to do with his best friend being killed.

There is no difference in any regard between these substances and methamphetamine. These substances are in the hands of devastatingly irresponsible people; describing these substances by the "high" they give you in order to sell them to anyone old enough to buy cigarettes. I fear that these same people that make and sell them will find a way around any restrictions or laws passed, similar to what they did in response to K2, altering them slightly in order

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Attachment 8

to continue to make a profit. Please work to make this impossible for them. These substances are unregulated, untested, highly addictive and dangerous. There is no reason for these drugs to stay available.

We sat by Elijah's side in the hospital praying for a miracle because some guy got the bright idea to "invent" drugs to sell legally. Elijah was a senior in Human Biology at KU and lived with me in Lawrence. He was not a partier or a crazy negligent youth, he was under the influence of deadly substances and peer pressure and because of that he is no longer with us. He was a wonderful brother and would have made a great uncle, worker and community member. Thank you again for allowing me to submit testimony on HB 2249.



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Kansas Peace Officers Association
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**Testimony to the Senate Public Health and Welfare Committee
In Support of HB2049 and HB2249
March 3, 2011**

Chairperson Schmidt and Committee Members,

Last year the legislature passed a bill adding certain chemical compounds used in synthetic marijuana to the drug schedule. Since that time forensic chemists have identified a way to classify such compounds in a way that will prevent continually adding compounds to the schedule. Since last year, we have already seen a proliferation of new compounds. Like the compounds we added last year, these new compounds continue to threaten the public safety and the health and safety of those who unwittingly subject themselves to the serious effects of these drugs. We believe this new approach will prevent this from being an annual issue.

The new synthetic drug to threaten Kansans is sold as "bath salts." These drugs also create a dramatic psychological change in the users placing them at risk of death or serious injury. Like synthetic marijuana, these drugs create an extreme danger to the users and have already resulted in deaths and serious health consequences in Kansas.

Both of these drugs are sold in the open market in Kansas. It is our hope that passage of this law will primarily produce a deterrence by taking them off the open market where our youth and others purchase them under the false assumption they aren't dangerous or they couldn't be legally sold.

We have already recorded deaths in Kansas from both of these drugs. They are frequently used in combination further raising the risk. In the last few weeks I have received notifications from several law enforcement agencies across the state telling me they have started seeing these drugs in their communities.

We strongly support HB2049 and HB 2249 which will add the classes of these compounds to the drug schedule. The chemists have diligently explored this approach and we believe this will provide a strong deterrence to the manufacture, sales and use of these dangerous drugs in Kansas.

We urge you to recommend both bills favorably to the Senate. The quicker we get on this growing problem fewer Kansans will suffer from its devastating effects.

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Attachment 9