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**Senate Committee on Public Health and Welfare  
Proponent Testimony on SB 497**

**By Sara Hortenstine, Executive Director of the Kansas Children's Death Review Board**

**February 12, 2026**

Chair and members of the Committee,

My name is Sara Hortenstine and I serve as the Youth Services Division Chief for the Kansas Attorney General's Office. Thank you for the opportunity to provide proponent testimony on Senate Bill 497, which adds kratom to Schedule I of the Uniform Controlled Substances Act and makes conforming amendments to the definition of fentanyl-related controlled substances in the criminal code. As the Youth Services Division Chief, my role involves advocating for policies and programs that protect Kansas children and youth from harm, including the dangers posed by substance abuse and controlled substances.

SB 497 is a critical step in enhancing our state's efforts to safeguard young people from emerging and evolving threats in the drug landscape. The bill primarily accomplishes two important objectives. First, it classifies kratom—specifically its active alkaloids like 7-hydroxymitragynine, also known as 7-OH—as a Schedule I controlled substance. Kratom, derived from the *Mitragyna speciosa* plant, has opioid-like effects and has been increasingly marketed as a "natural" alternative for pain relief or energy boosting. However, this classification is essential because kratom poses significant risks, particularly to children and adolescents.

According to data from the Centers for Disease Control and Prevention<sup>i</sup>, U.S. poison control centers received 660 calls related to kratom exposures between 2010 and 2015, with the number rising dramatically from 26 to 263 annually.

A more recent analysis<sup>ii</sup> from 2011 to 2017 documented 1,807 kratom exposure reports, with 10.2% involving individuals under 20 years old, including 48 children younger than 13. Alarming, many of these were accidental ingestions by young children, with 69% of exposures in those under 12 involving

toddlers younger than 2 years old. Seven cases involved newborns experiencing withdrawal symptoms due to maternal use during pregnancy.<sup>iii</sup>

Adverse effects in children include drowsiness, agitation, seizures, vomiting, and in severe cases, respiratory depression or other life-threatening complications. By scheduling kratom, we can better regulate its distribution, reduce accessibility, and prevent such exposures that endanger our youngest Kansans. Additionally:

- Laboratory testing indicates 7-OH can be **up to 13 times as potent as morphine**, leading to addiction, severe withdrawal, and overdose risk, even in small amounts.
- Unlike states with bans or age restrictions, Kansas currently has **no statewide regulation**, allowing sales of kratom and synthetic 7-OH in smoke shops, gas stations, and online without oversight.
- The Kansas Department of Health and Environment issued a warning in September 2025 about these unregulated and highly potent products, and the FDA is moving to restrict 7-OH as an illegal opioid.
- While children are particularly vulnerable, all Kansans are at risk due to the accessibility of these potent synthetic products.

SB 497 also updates the definition of fentanyl-related controlled substances to include additional analogs and derivatives. This is urgently needed given the surge in fentanyl-related fatalities among Kansas children. The 2025 Annual Report from the Kansas State Child Death Review Board, which reviews all child deaths in our state, paints a stark picture.

In 2023, 361 Kansas children died before their 18th birthday, with a child mortality rate of 52 per 100,000—higher than the national average of 49.8. Drug-related deaths are surging: Between 2019 and 2023, 65 children died from overdoses. Fentanyl is now most lethal threat, causing 48 child deaths from 2020 to 2023, compared to zero in the four years prior.<sup>iv</sup>

Many of these involve accidental exposures or ingestions by young children, highlighting the need for comprehensive controls on fentanyl and its analogs. The report also notes that marijuana, which contains THC, remains the most commonly detected substance in toxicology findings at the time of child deaths.

While cannabis is already scheduled, this underscores the broader issue of children's vulnerability to accessible drugs. The Board's findings emphasize trends in unintentional poisonings and the role of substance abuse in contributing to preventable deaths, often in unsafe environments. These statistics are not just numbers—they represent Kansas families shattered by loss. By passing SB 497, we can close loopholes in our controlled substances laws, empower law enforcement to combat the influx of dangerous analogs, and send a clear message that Kansas prioritizes the health and safety of its youth. The report includes recommendations for enhanced prevention efforts, such as public education on safe storage of substances and improved access to treatment, which align with the proactive approach of this bill. I urge the Committee to support SB 497 and advance it favorably. Thank you for your time, and I am happy to answer any questions.

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<sup>i</sup> [Notes from the Field: Kratom \(\*Mitragyna speciosa\*\) Exposures Reported to Poison Centers — United States, 2010–2015 | MMWR](https://www.cdc.gov/mmwr/volumes/65/wr/mm6529a4.htm) <https://www.cdc.gov/mmwr/volumes/65/wr/mm6529a4.htm>

<sup>ii</sup> [Kratom's Use and Impact on Pediatric Populations - PMC](https://pubmed.ncbi.nlm.nih.gov/articles/PMC12288559/) <https://pubmed.ncbi.nlm.nih.gov/articles/PMC12288559/>

<sup>iii</sup> [New Study Finds Dramatic Increase in Calls to U.S. Poison Control Centers for Kratom Exposure](https://www.nationwidechildrens.org/newsroom/news-releases/2019/02/kratom-exposures)  
<https://www.nationwidechildrens.org/newsroom/news-releases/2019/02/kratom-exposures>

<sup>iv</sup> [Kansas Sees Alarming Rise in Child Drug Deaths Amid Statewide Enforcement Efforts | News Releases | Attorney General of KS](https://www.ag.ks.gov/Home/Components/News/News/221/1292) <https://www.ag.ks.gov/Home/Components/News/News/221/1292>