



# Kansas Bureau of Investigation

Kirk D. Thompson  
*Director*

Derek Schmidt  
*Attorney General*

**Testimony in Support of Senate Bill 51  
Before the Senate Standing Committee on Public Health and Welfare  
Katie Whisman, Executive Officer  
Kansas Bureau of Investigation  
January 24, 2017**

Madam Chair and Members of the Committee:

Thank you for 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. I would like to explain why these changes are critical to the public safety of Kansas citizens.

Each year, the Kansas Bureau of Investigation (KBI) works very closely with the Kansas Board of Pharmacy to put forth a yearly legislative update to the Kansas uniform controlled substances act. This effort is intended to ensure we stay ahead of emerging drug threats in Kansas. Last year's drug schedule update was passed as Senate Substitute for House Bill 2018, signed by Governor Brownback on May 17, 2016, and became effective upon publication in the Kansas Register.

On May 24, 2016, I was contacted by a Detective Sergeant with the Olathe Police Department. Their agency had responded to and was growing increasingly concerned about a number of drug-related overdose deaths occurring in their community. Based on information discovered at the death scenes, they suspected the deaths were attributed to U-47700.

U-47700 is a synthetic opioid analgesic drug that is not intended for human consumption, is nearly eight times more potent than morphine, and is suspected of recently contributing to dozens of drug-related overdose deaths across the country. Its effects, which include sedation and respiratory depression, are instantaneous and deadly. It is not currently controlled in Kansas and is readily available for purchase over the internet.

While we were working with the Olathe Police Department, Johnson County District Attorney's Office, and the Kansas Board of Pharmacy to evaluate the possibility of controlling U-47700 by way of emergency scheduling, the KBI took steps to make the Kansas law enforcement community aware of this epidemic and issued a press release on June 2, 2016 to warn citizens about the threat posed by U-47700. We became aware of U-47700 suspected drug-related overdose deaths occurring in other jurisdictions in Kansas.

After several conversations between the KBI, local law enforcement, the county prosecutor, and the Board of Pharmacy, we concluded that a combination of Kansas statutes prevented us from controlling U-47700 by way of emergency scheduling. As such, we've waited months for the opportunity to include U-47700 in the 2017 yearly update to the Kansas uniform controlled substances act. That is addressed in a separate bill, Senate Bill 52.

Senate Bill 51 is the result of a multidisciplinary group of individuals, each impacted by the U-47700 situation, which came together and critically evaluated what statutory changes could be made to allow for the necessary emergency scheduling of dangerous substances while still ensuring that the Board of Pharmacy retains oversight of that process.

We are confident that the changes proposed in Senate Bill 51 will enhance our ability to control dangerous drugs that pose imminent risks to the health and welfare of Kansas citizens. Its timely passage is critical to public safety.

The Kansas Bureau of Investigation strongly supports Senate Bill 51 and respectfully asks the Committee to recommend it favorably for passage.

I would be happy to stand for questions.

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