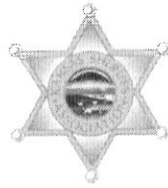




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**Testimony to the Senate Public Health and Welfare Committee
In Support of SB51 – Emergency Scheduling Authority**

January 24, 2017

Chair Schmidt and Committee Members,

Our associations support SB51. The amendments in this bill, particularly those on page 11, lines 34-39, are necessary if we are going to be able to respond quickly to new compounds manufactured by those wishing to capitalize on delays in scheduling. The illicit drug manufacturers are developing new compounds that circumvent the statutes on analogs. For those illicit compounds which are not analogs we must currently wait for a legislative session to address those that are a risk to the public. The amendments will allow for those to be scheduled on an emergency basis, then allow for the legislature to affirm the change during the next regular session.

The change on page 11, lines 38-39, closes a gap in the current law. Under current law, emergency scheduling is good for one year. A problem can develop if a need arises to emergency schedule a drug on an emergency basis during the mid to late parts of a legislative session when we don't have time to pass a bill. Under that timeline, the emergency scheduling would expire prior to be able to get a bill passed during the following session. The amendment merely changes that time period until the July 1 of the following year to allow the legislature to pass a bill and have it effective on July 1, as is normal for amended statutes. For example, if we had to emergency schedule a drug in late March, it would be extremely unlikely a bill could be introduced and passed under current law. This would result in the emergency scheduling expiring in March of the following year. A bill may not get through the process the following session in time to be effective prior to the expiration. But with this amendment we would have the full time of the following session to get a bill passed, and it could be effective July 1 instead of having the additional expense of publication in the register.

The amendments on page 6, lines 26-37 are also critical amendments to address problems coming from a court ruling opining the language required all three conditions to exist. This amendment clarifies the original legislative intent that only one would have to exist.

We strongly encourage you to move SB51 favorably for passage.

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