

February 6, 2018

HB2566

House Committee on Corrections and Juvenile Justice

Opponent written only testimony: Lisa Sublett

Science and medicine had nothing to do with the rulings that led to prohibition of hemp and cannabis in Kansas, and they have nothing to offer to the continuation of the prohibition of either of these plants in Kansas now. To ban any one part of these plants, is meant to only propagate further erroneous misinformation, and stigma from a bygone era. Rather than the whole plant, “Reefer Madness” fear mongers now target molecules with their manipulations and misinformation.

THC from whole plant cannabis is an important medicine in treating many forms of aggressive cancers such as gliomas, and adenocarcinomas, as well Alzheimer’s, ALS, MS, Parkinson’s, seizures, and many more illnesses. Some may not like that it has psychoactive side effects. If we were to exclude medicines due to unwanted side effects, we should start with FDA approved, manufactured pharmaceuticals, including over the counter medications. Humira as an example, a FDA approved drug, has lymphoma listed as a possible side effect. Of course, more research is needed, and such research is funded via the Kansas Safe Access Act. This body has yet to yield to the will of the Kansas people which support safe and legal access to medical cannabis by a 2/3 majority, 76% per the Docking Institute.

No, instead of moving forward, law enforcement comes to you and asks you to instead take Kansas backwards by moving against the federally allowed .3% THC levels of industrial hemp, and its analogs. Instead of moving forward to give Kansas MORE medical options, and providing safe and legal access to whole plant cannabis, they ask you to make these federally legal, .3% hemp products illegal in Kansas, and to take them away from the Kansans to whom they bring relief. This is against science, above and beyond federal law and against the will of the people of Kansas. It is also just cruel and senseless.

Per Section 7606 of the Federal Agricultural Act of 2014, industrial hemp is defined as having .3% or less of THC.

This designation must be officially and fully defined, recognized and exempted in the HB:2566 language by an amendment.

The language given by the continuing Appropriations Act of 2017, Sec. 773, explicitly states that federal funds may not be used to:

...prohibit the transportation, processing, sale, or use of industrial hemp that is grown or cultivated in accordance with section 7606 of the Agricultural Act of 2014, within or outside the State in which the industrial hemp is grown or cultivated.

The Kansas Attorney general’s office makes no such promise that federal funds will not be used to move against the currently legal hemp products available across Kansas.

Charlotte’s Web, and many other domestic hemp products, are cultivated in full compliance with the Agricultural Act, under appropriate licensing from respective state departments of agriculture in Colorado, Kentucky and other states. . Furthermore, according to the continuing

Appropriations Acts of 2016 and 2017, it is the expressed intent of Congress that hemp cultivated in compliance with the Agricultural Act be intended for “transportation, processing, and sale.”

It’s crucial to note that the Charlotte’s Web products are produced in an FDA registered laboratory that is independently certified for cGMP compliance, scoring 98.9% in a recent third party audit. Lab testing, certifications, compliance standardizations are the industry norm, not the exception.

Per the same federal act, 37 states are now producing products from industrial hemp. These may include supplement products which include the hemp cannabinoids CBD (cannabidiol) CBDA, CBDV, CBC, CBG,CBN, THCV, THC (.3% or less per federal law).

Their state legislation also has removed hemp from the state’s controlled substances list and exempted industrial hemp from the statutory definition of marijuana if it is grown within specific regulations.

Only six states—Idaho, South Dakota, Nebraska, Kansas, Indiana, and West Virginia still consider every part of the hemp plant, including CBD, to be illegal.

To just blanket ban any cannabinoid or analog of these cannabinoids would be a grave disservice to Kansans.

These products are purchased by hundreds of thousands of Kansans in either neighborhood stores, natural food stores, and even purchased online. Cannabinoids exist in chocolate (cocoa) and many other plants. They exist in human breast milk.

In a time when we face the truly overwhelming statistics of death and suffering encompassed in our national health emergency of opioid overdose deaths and addiction, which has not yet even fully hit us here, (meaning the worst is still coming) Kansas needs every tool available to manage pain, and patients need every alternative to opioids. We do NOT need to strip away the very limited, already existing legal options from our citizens.

We also do NOT need any more criminalizing of medical liberty and choice in Kansas. We have more than enough of that already, as Kansas has yet to recognize either the science, nor the will of the people, in regards to medical cannabis (SB:187). We already have enough tragic stories of suffering and death, as well as the arrest and prosecution of the sick and dying. We need no more shame on the shoulders of the “Free State.”

Please vote no on HB:2566, or move to amend the language.

At a time when Kansans are unifying to push for legal access to even more natural options, do not instead, and against the will of the people, move Kansas backwards by taking away the few existing options legally available to Kansas patients.

Law enforcement, by definition, does not work to fight for patients. They are not medical experts, nor patient advocates. They are law enforcement, and they are asking you to make more laws for them to enforce.

That means a Kansas patient who is not a criminal today, will absolutely be made into a criminal if you pass the HB:2566 language as written. I ask you to hear the voice of the sick and suffering, and to move with compassion and refuse to criminalize their healing, nor to criminalize the currently legal products that provide that healing.