



Special Ad Hoc Policy Committee

HB 1628

September 1, 2026

Chairman Klein, Chairman Ruby and Committee Members: My name is Dr. Parag Kumar. I'm a pediatric hospitalist in Bismarck, and I serve as President of the North Dakota Medical Association, representing physicians across our state. The North Dakota Medical Association is the professional membership organization for North Dakota physicians, residents, and medical students. NDMA opposes the legalization of Kratom. The NDMA Council recently approved a policy opposing any legalization of Kratom.

Kratom, which is sold in many different forms including pills, beverages, gummies and candy, powder and in its natural leaf form, currently has no approved medical use. It is not prescribed by physicians and before the governor's executive order, primarily available for purchase by people of all ages at gas stations and smoke shops, with no regulations, product testing, or other consumer protections. Kratom has been linked to physical and psychological dependence, opioid-type withdrawal, liver toxicity, seizures, and death, with risks compounded when it is combined with other substances.

I want to bring this issue down to the bedside, because that's where I've seen its cost twice.

The first was a toddler who got into her mother's handbag and ingested kratom she found there — treated as a poisoning, not a "supplement mishap." The second was a toddler during a household move, when kratom packaged like a bag of colorful candy or an energy shot ended up within reach in the chaos of unpacked boxes. Neither family thought they had anything dangerous in the house. That's the core problem: kratom is being sold and packaged as if it's benign, when it acts on the same opioid receptors as morphine and fentanyl.

That mismatch — real pharmacology, marketed as harmless — is why NDMA's physician Council voted unanimously to support a full ban on kratom and its synthetic derivatives like 7-OH, not a regulatory framework that keeps it on shelves.

We recognize the bill before you today takes real steps — an age restriction, labeling, and enforcement authority for the Attorney General. Those are reasonable if kratom stays legal. But from where I stand as a physician, this isn't a tobacco-model problem. It's an opioid-model problem. Age limits and warning labels don't stop a toddler from finding it in a purse or a moving box, and they don't change withdrawal, dependence, or overdose risk for the adults using it.

North Dakota's own data backs this up: kratom-related compounds have been a primary or contributing cause of death for two dozen North Dakotans since 2019, and poison center reports involving children have climbed sharply nationally over the past decade. This is not a fringe concern.

On behalf of NDMA's physicians, I'd ask this committee to strengthen this bill toward a full prohibition of kratom and 7-OH, consistent with several other states that have already banned it, rather than formalizing a regulated marketplace for a product with real overdose and dependence risk in our homes, our purses, and our moving boxes.

Thank you, and I'm happy to answer any questions.