

Testimony prepared for:

Special Ad Hoc Policy Committee

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RE: SB 2408 and HB 1628 – Relating to regulation of kratom

Good afternoon, Chairs Ruby and Klein and members of the Special Ad Hoc Policy Committee. My name is Mary Korsmo, and I am representing the North Dakota State Association of City and County Health Officials (ND SACCHO), which includes the twenty-eight local public health units serving communities across North Dakota. Thank you for the opportunity to share our perspective as you evaluate how the state should address kratom and 7-OH products.

ND SACCHO strongly supports Senate Bill 2408 to classify mitragynine synthetic derivatives as Schedule I controlled substances. We further urge the Legislature to include all mitragynine/kratom products under Schedule I. Anything short of full scheduling leaves North Dakotans vulnerable to serious and potentially fatal health risks.

A 21+ regulatory model, as presented in House Bill 1628, would not adequately protect the populations most affected. Nearly half of North Dakota's kratom-related poison control calls involve individuals ages 20–39. These are adults who would still be legally able to purchase these products, even though they are clearly at high risk. Prohibition is the only approach that meaningfully reduces harm.

Local public health units and law enforcement cannot absorb the responsibility of regulating an additional addictive and dangerous substance. Only 19% of local public health units currently have the capacity to conduct tobacco compliance checks, and just 12% can perform alcohol compliance checks. Staffing shortages, limited budgets, and stretched law enforcement resources already restrict our ability to meet existing regulatory demands. Adding kratom oversight would further strain systems already operating at capacity.

At the same time, as you consider restrictions on kratom and 7-OH products, we urge legislators to consider the needs of North Dakotans who are already dependent on or addicted to these products. Meaningful access to treatment, recovery support, behavioral health services, and other resources will be essential for people who may need help stopping their use. Public policy should not only prevent new addiction and reduce availability, but also ensure that people currently struggling with kratom dependence have a realistic pathway to care, support, and recovery.

You have a critical opportunity during this special session to enact a statewide solution that protects the health, safety, and long-term well-being of North Dakotans. Establishing clear, decisive action now will prevent avoidable harm and reduce future burdens on families, communities, and public systems.

ND SACCHO respectfully urges the Special Ad Hoc Policy Committee to adopt strong statewide protections by prohibiting kratom and 7-OH products. ND SACCHO supports prohibition because the public health risks far outweigh any benefit of allowing a commercial market for these substances.

Thank you for your time, your consideration, and your commitment to safeguarding North Dakota's communities.