

Memo

To: Chair Carter and Members of the House Regulatory Reform Committee
From: Sean Sorenson-Abbott, Manager, Government Relations
Date: April 2023
Re: HB 4061 – The Kratom Consumer Protection Act
Position: Support

The Michigan Health and Hospital Association (MHA) is supportive of House Bill (HB) 4061, also known as the Kratom Consumer Protection Act. Introduced by Rep. Lori Stone (D-Warren), HB 4061 would regulate the sale and production of Kratom products in Michigan and create some general safeguards to protect consumers.

Kratom is a tropical tree native to Southeast Asia, with leaves that contain compounds which can have psychotropic effects similar to opioids and stimulants. Kratom's ingredients bind to the same receptors in the brain that opioid painkillers do without the same tendency to depress breathing. The plant can be eaten raw, but more often is crushed and brewed as tea or turned into capsules, tablets, and liquids. According to consumers, kratom is used to treat pain, mood disorders (such as anxiety and depression), opioid addiction and to ease opioid withdrawal.

The Food and Drug Administration (FDA) has been outspoken about their concerns involving kratom because it appears to have properties that expose users to the risks of addiction, abuse, and dependence. They are especially concerned about the use of kratom to treat opioid withdrawal symptoms, as there is no reliable evidence to support the use of kratom as a treatment for opioid use disorder and significant safety issues exist. Also, scientists from the FDA found dangerously high levels of heavy metals, including lead, in kratom products. A long-term kratom user could potentially develop heavy metal poisoning leading to nervous system or kidney damage, anemia, high blood pressure, and is at increased risk of certain cancers. There are currently zero FDA-approved uses for Kratom.

HB 4061 would create a new license applicable to all Kratom manufacturers, distributors, or dealers. The bill would ban adulterated Kratom products, require warning labels addressing the potential health impacts, and require lab testing for Kratom products to ensure consumers know what substances are present.

The MHA maintains that kratom should be defined as a federal schedule 1 narcotic and has previously opposed attempts to regulate kratom as a schedule 2. The Kratom Consumer Protection Act will provide state regulation and oversight that will help prevent potential misuse in the short term while the MHA continues to advocate for a federal ban.

Brian Peters, Chief Executive Officer