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February 26, 2026

Re: IDSAM's Position on S. 1282, the Idaho Kratom Consumer Protection and Safety Act

Dear Chair Nichols and Honorable Members of the Committee,

On behalf of the Idaho Society of Addiction Medicine (IDSAM), the leading medical specialty society representing physicians and other clinicians specializing in the treatment of addiction in Idaho, we write to express our thoughts on S 1282.

In short, we are pleased to see lawmakers take steps to regulate kratom products in our state. However, we urge members of the committee to consider strengthening the legislation to protect the health and safety of all Idahoans. Below you will find some of our suggested improvements to S. 1282:

1. Age Restrictions

- Raise the age restriction from 18 to 21 in Sections 37-3105 and 37-3107(c).
- Of the 18 states who regulate kratom, 11 states (Colorado, Florida, Georgia, Louisiana, Maryland, Oregon, South Dakota, Tennessee, Virginia, and West Virginia) have an age restriction of 21 or older. We must ensure that our state's youth are better protected.¹

2. Product Labeling

- Require that products include on their package or label the amount of mitragynine and 7- hydroxymitragynine contained in the product; the full list of ingredients in the product; and/or a warning that a consumer should consult their healthcare professional on questions about use of kratom in Section 37-3107.
- See e.g., Arizona, Colorado, Georgia, Kentucky, Nevada, Oklahoma, South Dakota, Tennessee, West Virginia.²

3. Enhanced Enforcement and Penalties

- Propose individuals aggrieved by a violation may bring a private cause of action in a court of competent jurisdiction for damages resulting from that violation, including economic, noneconomic or consequential damages, by changing the proposed Section 37-3108(3)(b). See e.g., Arizona, Oklahoma

- Additionally, consider adding criminal sanctions for certain regulatory violations. See e.g., Maryland, Minnesota, Oklahoma, Oregon, Utah, West Virginia.³

4. **Other Limitations:**

- Consider proposing that no individual shall offer for sale kratom in this state unless such product is behind a counter in an area only accessible to store employees or in a secured display which is only accessible with the intervention of a store employee. See e.g., Georgia
- Consider proposing marketing and advertising restrictions. See e.g., Maryland.

Clearly, unregulated kratom products pose a risk to the health and safety of Idahoans. As addiction specialists, we are seeing a growing number of patients suffering negative side effects from using kratom. Idaho lawmakers have an important opportunity to implement common sense regulations that will protect consumer health and safety. As such, we urge members of the committee to consider our suggestions to strengthen S. 1282 for the benefit of our communities and state.

Sincerely,

Cate Heil, MD
Advocacy Chair, Idaho Society of Addiction Medicine

CC: The Honorable Christy Zito
The Honorable Todd M. Lakey
The Honorable Dave Lent
The Honorable Julie VanOrden
The Honorable Camille Blaylock
The Honorable Joshua Kohl
The Honorable Carrie Semmelroth
The Honorable Ron C. Taylor

¹ <https://legislativeanalysis.org/wp-content/uploads/2025/07/Kratom-Summary-of-State-Laws.pdf>

² <https://legislativeanalysis.org/wp-content/uploads/2025/07/Kratom-Summary-of-State-Laws.pdf>

³ <https://legislativeanalysis.org/wp-content/uploads/2025/07/Kratom-Summary-of-State-Laws.pdf>