November 8, 2011 Testimony from
Fred J. Benzie, MPH, RS, MPA
Marquette County Health Officer
On Senate Bill 789

This is the first time in my 24 year career in public health that I have ever provided testimony in support of any proposed legislation in Michigan. The profession of Public Health is to prevent death and disease and to improve the quality of life. Never before had I been approached by both our medical community and local law enforcement with such an unprecedented request for help in stopping the new and devastating threat to our community known as "Bath Salts". On February 4, 2011, I was contacted by my Medical Director who became aware of a growing number of cases of individuals who were being treated in local hospital emergency rooms for physical and psychological problems associated with a new designer amphetamine sold locally as "White Rush Bath Salts". Symptoms included elevated blood pressure, pulse, dilated pupils, compulsive water drinking, pronounced insomnia, automatisms, paranoia and agitated behavior. Several patients had become violent and posed not only a threat to themselves but to law enforcement and emergency medical personnel. One individual died as a result of complications from using this designer drug. The emergency medicine section of our regional medical facility and their emergency room physicians wrote to state they felt this new designer drug represented an imminent and growing public health threat to the community at large and the patients experimenting with this new drug in particular. They asked that the Marquette County Health Department take whatever action possible to stop the spread of this epidemic and use of this dangerous drug immediately.

Likewise, local police and law enforcement communicated to our County Prosecuting Attorney that White Rush Bath Salts posed an imminent danger which could reasonable be expected to cause death, disease, or serious physical harm. They reported that cases involving these baths salts were happening now on a daily basis and one detective captain with twenty-two years experience stated that he had never before observed a drug which had so rapidly spread throughout the Marquette Community and posed such an imminent threat to the health of our citizens.

This devastating threat compounded its demand on not just local law enforcement and emergency medical personnel but also the human service departments and the behavior health unit which had to provide long term psychiatric treat for some and foster care services for the children left without parental supervision.

The science of designing drugs to stay one step ahead of law enforcement is real. My experience has taught me that Section 2451, of Michigan's Public Health Code which granted my authority to put an immediate stop to the sale of "Bath Salts" in Marquette County was effective but had to be repeated by two other neighboring Health Officers. One has to ask why we need to do this in 45 local public health jurisdictions to be effective statewide. The Michigan Department of Community Health needs to have the same imminent danger authority as local public health officers to immediately respond

to designer drug threats statewide and to quickly place new drugs on the list of Controlled Substances. Although my emergency order quickly removed these threats from sale locally, it did not stop new substances from being created and legally sold later. Law enforcement must have the ability to arrest and charge those in our community with intentionally putting our citizens at risk. Giving the Michigan Department of Community Health the authority to declare an "imminent danger" and to quickly place new designer drugs on the list of Controlled Substances will ultimately give law enforcement the ability to quickly stop the legal sale of such substances and provide for the same penalties we have in place for those who currently manufacture, possess, sell and transport other controlled substances.

I urge you to pass Senate Bill 789 and to give the Michigan Department of Community Health and law enforcement the ability to quickly protect the citizens of Michigan. It is the right thing to do.