

11813 SENATE HEALTH, EDUCATION & SOCIAL SERVICES

would expect to find that future HMO shares would be positively correlated with current expenditures.

The results from this specification are shown in Table 3. They provide little evidence of AWP law endogeneity—in none of the equations are the coefficients on the lead term of an AWP variable statistically different from zero. The same is not true of the lead value of HMOSHARE, however; its coefficient tends to be large (in absolute value) and significantly different from zero, a finding consistent with the possibility that HMOSHARE is endogenous. The signs of these coefficients are inconsistent, however, with the theory that high current expenditures lead to high future managed care shares—in three of the four equations we find a negative (and statistically significant!) coefficient on the future HMO share variable.

#### 4. Conclusion

Previous research on the relationship between managed care penetration and expenditure levels has yielded mixed evidence on the extent to which this growth will result in market segmentation or market discipline. None of this research has taken into account the impact of regulations that attenuate the ability of managed care entities to contract selectively with providers. In this paper, I have done so explicitly, controlling not only for the presence or absence of such regulations, but also the 'strength' of such constraints. This paper's basic finding—that HMO growth reduces health care expenditures, and that AWP laws attenuate this effect—is broadly consistent with earlier research on managed care. The economic magnitude of the AWP effect is robust across the various empirical specifications, and is statistically significant in most. Perhaps most interesting is the indication that AWP laws may have had a larger impact on physician expenditures than on hospital expenditures. Previous research into the relationship between managed care and the individual components of health expenditures found that managed care reduced hospital expenditures, but may have actually increased physician expenditures. By contrast, my results suggest that managed care has reduced both the hospital and physician components of health care spending, and that a principal effect of AWP laws is to mitigate this latter effect. This is an interesting possibility that invites further research.

#### Acknowledgements

Assistant Director for Antitrust. The opinions expressed here are the author's, not those of the Federal Trade Commission or any individual Commissioner. I thank Denis Breen, Jonathan Gruber, Paul Pautler, and an anonymous referee for helpful comments. Remaining errors are mine.

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**Jason Hooley**


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**From:** Dr William Pfeifer [family@ptialaska.net]  
**Sent:** Sunday, March 05, 2006 1:43 PM  
**To:** Brian Hove; Sen. Ralph Seekins; Goeff Bullock  
**Cc:** Jason Hooley; Sen. Fred Dyson; Sen. Gary Wilken; Sheila Peterson; Sen. Lyda Green; Ivy Frye; Sen. Donny Olson; Sen. Kim Elton; Alaska Chiropractic Society - Debbie Ryan; Kurt Hediger (ACS President); Robert Wheeler, Jr (ACS Secretary); Clark Davis (AK Board of Examiners); Jeff Logan; Jamie Mulligan (ACA legal); Tom Daly  
**Subject:** SB 299 - Justice Scalia - Regulating insurance redefinition  
**Attachments:** Law Watch 582292\_1.pdf; SYLLABUS OF THE COURT - Supreme Court Upholds AWP for ERISA -Kentucky.doc

Attached you will find two documents with my highlights. One is a Newsletter from Foley and Lardner discussing the results of the case of **Kentucky Assn. of Health Plans, Inc. v. Miller**, decided April 2, 2003, in the United States Supreme Court. The Court upheld two Kentucky statutes that prohibit health insurers from discriminating against providers who are willing to meet the insurers' terms and conditions for panel participation. The second document is the "Syllabus of the Court" whose decision was written by Justice Scalia for the unanimous decision in this case. Exerpts below come from this document, for your reference.

This case is the basis for SB 299 that the Alaska Chiropractic Society (ACS) has raised questions and concerns about. I have provided these two documents so that you can see that the definitions have changed as result of the decision and clarification made during the Kentucky case. The resulting decision and redefinition now allows states to provide stronger language than those which were in place and tried in the Kentucky case at the time.

**I understand from the Alaska Physicians and Surgeons lobbyist that their concern is that if it is a bill about doctors per se that a court challenge against the bill by the insurance companies will occur. They reiterate that the bill needs to be about "Regulating Insurance."**

**It appears the Alaska Physicians and Surgeons are looking only at a narrow strict re-creation of the Kentucky case and a model of the Arkansas Bill so as to avoid court challenge. It is clear in the attached documents that Justice Scalia's written decision of the court allows for other language so long as it meets two points.**

**Justice Scalia and the Court conclude that:**

**[43]"Today we make a clean break from the McCarran-Ferguson factors and hold that for a state law to be deemed a "law . . . which regulates insurance" under §1144(b)(2)(A), it must satisfy two requirements. First, "a state law must be specifically directed toward entities engaged in insurance. See Pilot Life, supra, at 50, UNUM, supra, at 368; Rush Prudential, supra, at 366. Second, as explained above, the state law must substantially affect the risk pooling arrangement between the insurer and the insured. Kentucky's law satisfies each of these requirements."**

**In addition Justice Scalia says that:**

**[48]"our test requires only that the state law substantially affect the risk pooling arrangement between the insurer and insured; it does not require that the state law actually spread risk."**

[37]"We have never held that state laws must alter or control the actual terms of insurance policies to be deemed "laws . . . which regulat[e] insurance" under §1144(b)(2)(A); it suffices that they substantially affect the risk pooling arrangement between insurer and insured. By expanding the number of providers from whom an insured may receive health services, AWP laws alter the scope of permissible bargains between insurers and insureds in a manner similar to the mandated-benefit laws we upheld in Metropolitan Life, the notice-prejudice rule we sustained in UNUM,<sup>3</sup> and the independent-review provisions we approved in Rush Prudential. No longer may Kentucky insureds seek insurance from a closed network of health-care providers in exchange for a lower premium. The AWP prohibition substantially affects the type of risk pooling arrangements that insurers may offer."

[46] ). ERISA's savings clause does not require that a state law regulate "insurance companies" or even "the business of insurance" to be saved from pre-emption; it need only be a "law . . . which regulates insurance," *ibid.* (emphasis added), and self-insured plans engage in the same sort of risk pooling arrangements as separate entities that provide insurance to an employee benefit plan.

**Justice Scalia's redefinition allows for more extensive language change than what is being presented in SB 299. We will continue communication with the sponsor of the bill and all committee members to strengthen this AWP bill. We believe our prior comments regarding the Bill are just and can be addressed under the guidelines presented by Justice Scalia in the court decision and is in the best interest of the patient.**

**I understand that SB 299 may have been sent back to legislative legal to address the hospital and facilities issue we raised. At this point I don't know what else is being considered and have not seen a new version of the bill. This bill should be kept in committee and redrafted in legal to assure true non-discrimination against any type of provider. In fact it should be addressed in terms of covered conditions regardless of provider.**

**The insurance company can decide what conditions they choose to cover but if a condition is covered there should be no discrimination against providers providing it. Any willing provider with the scope of practice and who is appropriately licensed by the state should be able to agree to the terms of participation. There should also be no discrimination in terms of payment for same services since this could, or would, likely be part of the agreement that any willing provider would have to consider when deciding to be a participant or not.**

**Therefore Page 1 line 12, 13 and page 2 line 1 of the existing bill need to be struck where it states:**

**"This subsection does not affect different reimbursements to different types of health care providers, nor does it affect coverage for the service of a particular type of health care provider."**

**I am also aware that the exception to Workers compensation referenced in SB 299 is**

due to the fact that ERISA cannot be applied to Workers compensation. Since that is already in Federal law it seems unnecessary to have it stated in this Bill. Therefore ACS would still support striking this language since it appears unnecessary. If you have not received our original comments let me know and I can forward them to you.

**The Alaska Chiropractic Society asks that SB 299 be sent to Legislative legal with the explicit intent and instructions to strengthen the anti-discrimination language of the bill so that it protects all types of providers and will also meet Justice Scalia's definitions and two requirements he laid out in the Kentucky court decision.**

**Please call me if you need clarification or have opinions to the contrary from legislative legal.**

Thank You for your consideration,

**Dr Bill Pfeifer  
ACS Vice President  
ACS Legislative Chairman**

**William D. Pfeifer DC  
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# FISCAL NOTE

**STATE OF ALASKA**  
**2006 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: SB 299  
 ( ) Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): 3/13/06 8:56 a.m. Dept. Affected: Administration  
 Title An Act prohibiting unfair discrimination against a health provider willing to meet health insurer's terms.. RDU Centralized Administrative Services  
 Component Group Health Insurance  
 Sponsor Senator Seekins  
 Requester (S) HES Component No. 2152

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
Personal Services	*	*	*	*	*	*
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	*	*	*	*	*	*

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
1017 Group Ben	*	*	*	*	*	*
<b>TOTAL</b>	*	*	*	*	*	*

Estimate of any current year (FY2006) cost: 0.0  
 Mark this box (X) if funding for this bill is included in the Governor's FY 2007 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)  
 This bill would prevent unfair discrimination against a health care provider who is willing to meet a health insurer's terms and conditions for participation in the insurer's plan, policy, or contract for health care services and amends the definition of 'provider' as it relates to authorized collective negotiations by physicians affecting rights of providers under health benefit plans.  
  
 Group Health Insurance is submitting an interminate fiscal note based on the legislation.

Prepared by: Melanie Millhorn, Director Phone 465-4408  
 Division Group Health Insurance Date/Time 3/13/06 12:42 PM  
 Approved by: Mike Tibbles, Deputy Commissioner Date 3/13/2006  
 Agency Department of Administration

24-LS1474VF

Bailey

3/3/06

**SPONSOR SUBSTITUTE FOR SENATE BILL NO. 299**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**TWENTY-FOURTH LEGISLATURE - SECOND SESSION**

**BY SENATOR SEEKINS**

**Introduced:**

**Referred:**

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to preventing unfair discrimination against a health care provider who  
 2 is willing to meet a health insurer's terms and conditions for participation in the  
 3 insurer's plan, policy, or contract for health care services; amending the definition of  
 4 'provider' as it relates to authorized collective negotiations by physicians affecting the  
 5 rights of providers under health benefit plans; and providing for an effective date."

6 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

7 \* **Section 1.** AS 21.36.090(d) is repealed and reenacted to read:

8 (d) A health insurer may not discriminate against a health care provider who is  
 9 located in the geographic coverage area of a health benefit plan if the health care  
 10 provider is willing to meet the terms and conditions for participation established by the  
 11 health insurer. This subsection applies to a health benefit plan that affects the rights of  
 12 an Alaska insured. This subsection does not affect different reimbursements to  
 13 different types of health care providers, nor does it affect coverage for the service of a

1 particular type of health care provider. In this subsection,

2 (1) "health benefit plan"

3 (A) means a health insurance policy or certificate, health  
4 maintenance organization contract, hospital or medical service corporation  
5 contract or certificate, self-insurance plan, plan provided by a multiple  
6 employer welfare arrangement, or group health insurance policy to the extent  
7 permitted by 29 U.S.C. 1001 - 1461 (Employee Retirement Income Security  
8 Act);

9 (B) does not include insurance under AS 23.30 (Alaska  
10 Workers' Compensation Act);

11 (2) "health care provider" means a state licensed, certified, or  
12 otherwise authorized

13 (A) physician;

14 (B) podiatrist;

15 (C) chiropractor;

16 (L, physical therapist;

17 (E) speech language pathologist;

18 (F) audiologist;

19 (G) dentist;

20 (H) optometrist;

21 (I) psychologist;

22 (J) counselor;

23 (K) marital and family therapist;

24 (L) pharmacist;

25 (M) occupational therapist;

26 (N) long-term care facility;

27 (O) ambulatory surgery center;

28 (P) rural health clinic;

29 (Q) social worker;

30 (R) advanced nurse practitioner;

31 (S) dietitian or nutritionist; or

1 (T) community mental health center or clinic;

2 (3) "health insurer" means an entity that is authorized by the state to  
3 offer or provide health benefit plans, policies, subscriber contracts, or similar contracts  
4 that indemnify or compensate health care providers for providing health care services.

5 \* Sec. 2. AS 23.50.020(o)(2) is amended to read:

6 (2) "provider" means a state licensed physician, physician assistant,  
7 dentist, osteopath, optometrist, chiropractor, nurse midwife, advanced nurse  
8 practitioner, naturopath, physical therapist, occupational therapist, marital and  
9 family therapist, psychologist, psychological associate, licensed clinical social  
10 worker, or certified direct-entry midwife [HAS THE MEANING GIVEN IN  
11 AS 21.36.090(d)].

12 \* Sec. 3. This Act takes effect immediately under AS 01.10.070(c).

**Beech  Street**  
**C O R P O R A T I O N**

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March 13, 2007

The Honorable Senator Dyson

FAX: 907-465-4587

Re: Alaska Senate Bill 299 - Any Willing Provider Provisions

Dear Senator Dyson:

Beech Street, a national preferred provider organization, which has a network of hospitals, physicians, and ancillaries throughout the State of Alaska would like to express its opposition to Alaska Senate Bill 299 – Any Willing Provider.

SB299 would impact the ability of health plans to obtain favorable negotiated discounts for health care services. This legislation would open up the health plan's provider network to all providers and thus we would not be able to channel patients to the providers desired by our customers and who have met our credentialing criteria. Providers who come into the network due to Senate 299 are those who would not render favorable discounts to Beech Street and our members in Alaska. Healthcare costs for the citizens of Alaska would increase.

Any willing provider mandates may seem like they would benefit consumers since they allow the greatest number of providers into a plan but these laws actually have a serious negative consequence. Since any doctor who wishes to participate with a plan can, it makes it much harder for carriers to negotiate any discounts with providers, since there is no financial consequence for non-participation. This leads to higher medical reimbursement costs for all plans in the state, which translates into higher insurance rates for consumers."

Health plans are currently able to negotiate discounted fees from health providers (hospitals, physicians, pharmacies, and other service providers) because they are able to

deliver directed patient volume to contracted providers and reduce administrative burden. This results in a mutually beneficial contractual relationship between providers and health plans.

Small employers have a low elasticity of demand to price increases in health insurance. As the price of offering health insurance increases, employers will drop (or not offer) coverage to their employees. This resulting burden of additional uninsured consumers in the market will have a compounding effect on the price of health care in Alaska.

A recent preferred provider hospital request for proposal (RFP) demonstrated that significantly better discounts were offered when the health plan offered a plan with differential preferred provider (PPO) plan provisions as opposed to a passive PPO arrangement.

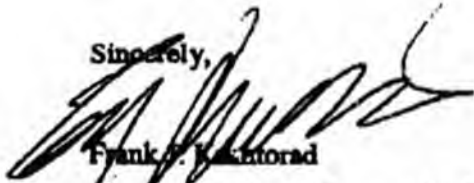
The Federal Trade Commission (FTC) has taken a strong stand in opposition to any willing provider provisions. The Federal Trade Commission and Department of Justice report, *Improving Health Care: A Dose of Competition*, July 2004, states: "Commission staff has expressed concerns about AWP (Any Willing Provider) and FOC (Freedom of Choice) laws, noting that they could have anticompetitive effects and harm consumers. These laws can make it more difficult for health insurers to negotiate discounts from providers in exchange for the higher patient volume that would likely result from restricted provider networks. They can also limit competition, by restricting the ability of insurance companies to structure different plans with varying levels of choice in response to consumer demand. These restrictions on competition may result in insurance companies paying higher fees to providers, which in turn generally results in higher premiums, and may increase the number of uninsured Americans."

Beech Street had experience with the Any Willing Provider Legislation in the State of Virginia. CAPP CARE, the organization prior to the merger with Beech Street, was required to go to District Court in the State of Virginia. A physician had sued CAPP CARE since she was excluded from the CAPP CARE Network. The District Judge ruled that CAPP CARE had the right to run its business as it saw fit. The Company had the right to exclude physicians and providers that it deem unfit for its network. The District Judge overruled the Any Willing Provider Legislation here.

The Alaska Market has almost no penetration of managed care. Physician Charges are substantially higher in Alaska than any other state. AWP legislation will harm consumers even more through an increase in the price of health care and a decrease in the availability of employer-sponsored health plans.

We would appreciate your vote against Any Willing Provider Legislation.

Sincerely,



Frank S. Kantorad

Director, National Contracting Programs



March 13, 2006

The Honorable Senator Fred Dyson  
Chair, Senate Health, Education and Social Services Committee  
Alaska State Capitol, Rm. 121  
Juneau, AK 99801

Re: Senate Bill 299 – Oppose

Dear Senator Dyson:

On behalf of Aetna, I am writing to express our opposition to Senate Bill 299, relating to a proposed any-willing-provider statute for health insurers. Senate Bill 299 would mandate insurers offer contracts with any health care providers willing to meet the insurer's reimbursement rates and credentialing requirements – even if additional providers are needed at the time and regardless of quality measurements the insurer may use to designate the most qualified and efficient providers in the community.

Moreover, this bill would limit the ability of insurers to seek favorable reimbursement rates with some providers in exchange for increased patient volume. Simply put, if all providers have the same guaranteed access and payment rates, competition among providers is discouraged. As a result, individuals and employers will likely experience higher costs.

Today, consumers have the choice to see just about any provider they want. They may have higher co-insurance amounts if seeking services from a non-contracted provider, but they do have a choice. Products that utilize networks are designed because employers are asking for lower premiums – this is one way an insurer can control costs. Aetna would not want to see this option diminished to the point it would not serve that purpose.

Finally, the legislation would be detrimental to consumers because it would increase costs, reduce choice of products in the market place, and restrict the ability of insurers to promote the highest quality care available. For these reasons, Aetna respectfully requests your opposition to Senate Bill 299. Should you have any questions, please do not hesitate to contact me directly at (916) 817-6869, or you can contact our retained lobbyist, Reed Stoops, at (907) 463-3223.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in cursive script that reads "Kris Frank".

Kris Frank   
State Government Relations, West Region

SB 299

Testimony of Rosemarie Kalamarides, Administrator for the Alaska Teamster Health Plan

Thank you for the opportunity to testify against Senate Bill 299.

The premise under which this legislation is being introduced and argued is that individuals buy their own health care. This is not true.

Out of over \$5 billion spent in Alaska last year, only about 5% was paid on individual policies. The average cost per employee is higher in Alaska than in the rest of the U.S. However, workers pay a smaller share here. Health care spending was almost \$8,000 per Alaskan in 2005. Spending is increasing approximately 9% per year.

Most health care is funded by employers for their employees. This legislation impacts Alaskan employers directly and negatively. It will increase the already huge share of their budgets that health care costs represent. It also impacts their employees directly and negatively. As health care costs continue to increase, employers shift the increase to their employees.

What happens then when "any willing provider" legislation is passed? Employers have no ability to negotiate group discounts with providers. Employers can only negotiate discounts if they can guarantee volume. With this legislation, they cannot guarantee volume and costs, therefore, increase. These increases are then passed on to their employees. Employees' out of pocket expenses increase; in some cases to 100%, as many employers are simply dropping health care, leaving employees to fend for themselves.

This type of legislation has been popular in states where the reaction to rising health care costs was managed care. There is virtually no managed care in Alaska. Therefore, the usual scare tactics that are being used to by the proponents of this bill are a smoke screen. This legislation is intended to increase the income of doctors, nothing more.

According to a recent ISER study, medical and surgical procedures in Alaska are 18% higher than elsewhere in the U.S. Doctors are paid well here. They don't have to content with managed care, there are no HMOs here. **THERE ARE NO HMOs HERE!**

Some doctors resist signing into networks because they don't want to negotiate lower rates, even for volume. That is their choice. Attempting to regulate their industry through anti-competitve legislation is stepping into the past. If we still lived in an economy that heavily regulated industries, like back in the 60's and 70's, then this legislation might make sense. But it is anachronistic and serves to protect the income of physicians...physicians who are already well paid.

This legislation serves to burden employers even more and make it more difficult for them to provide health care to their employees.

This legislation impacts n y employer's ability to address quality care. By working with smaller groups of hand-picked physicians, my employer is able to provide me direct access to excellent care.

My health plan recently introduced a Disease Management Program which works directly with our employees on improving health. With the aid of a personal health coach, the program guides the employee to better health by helping them increase their physical activity, develop healthy eating habits and stop smoking. This legislation would increase the cost of the disease management program by allowing any company to provide these services to our employees.

If I were paying for my own health care costs, I would feel strongly that I should have the choice to pick any doctor regardless of price; after all, I would be paying the bill. If I were paying for my own health care, this legislation even if passed would have no impact on me.


But I'm not paying for my health care. Just like the vast majority of Alaskans, my employer is paying the bill and I leave it to my employer to negotiate the best networks they can find to keep my and my coworkers health care costs low so that next year, perhaps the increase in the wage package can go into my retirement or my pocket, instead of my health care. I certainly do not want to give my raise next year to my doctor.

If I were paying my own health care, I would shop around and find the right doctor at the right price. Fortunately, my employer does that for me.

As legislators, under the ruse of this legislation, you would actually be taking choice away from your constituents. The choice to put money into retirement or into wage increases. This legislation only serves to increase health care costs as it shifts money from workers' pockets to doctors' pockets.

I understand that doctors tend to be big campaign contributors, but your duty is to your constituents, all of them, not just a select few.

Please do not pass this piece of legislation out of committee.

  
3-13-06

Jack C. McRae  
Senior Vice President

March 23, 2006

Senator Fred Dyson, Chair  
Senate Health, Education & Social Services Committee  
Alaska State Legislature  
State Capitol, Room 121  
Juneau, Alaska 99801-1182

RE: Senate Bill 299

Dear Senator Dyson,

I am writing on behalf of Premera Blue Cross Blue Shield of Alaska in opposition to Senate Bill 299, typically called an "any willing provider" measure. My comments relate specifically to the draft Sponsor Substitute (version "F").

In short, SB 299

- is based on false assumptions,
- fails to recognize the significant value of health insurers' provider networks, and
- does nothing to address rapidly escalating health care costs in Alaska.

#### False assumptions

Proponents of SB 299 argue that insurers exclude providers from their networks, thereby causing disruption of services to consumers. Frequently cited examples involve the situation where a consumer's personal physician is not on the provider network serving their employer's health insurance plan. The implication is that the insurer has not allowed the physician to participate. In fact, the reality is just the opposite.

Premera Blue Cross Blue Shield of Alaska has been contracting with Alaska providers for approximately 20 years. In those years of experience we have found that consumers most frequently are disadvantaged, not because insurers exclude providers, but instead because providers refuse to contract with insurers. Typically, instead of switching providers, a consumer will stay with his or her provider of choice but be forced to pay significant "balance billing" charges billed by the provider who refuses to contract with the consumer's health insurer.

Most states where "any willing provider" bills have been introduced are characterized by a strong market presence of health maintenance organizations (HMOs). Historically HMOs have sought to control costs by restricting payment for insurance benefits to a

relatively small, carefully selected panel of providers. Proponents of SB 299 have invoked the specter of HMOs in Alaska practicing exclusionary tactics that will disrupt services to consumers. That is a bogus argument that blatantly ignores the realities of the Alaska market and the legislative framework in which it operates.

To my knowledge, virtually no HMOs or true "managed care" plans exist in Alaska. Because of persistent and ultimately successful efforts by some in the medical community, the legislature effectively outlawed HMOs with the passage of SB 197 in 1998.<sup>1</sup> That measure requires any HMO to offer every enrollee the option of receiving services from out-of-network providers. Further, the "Patient Bill of Rights" enacted in 2000 (HB 211) requires that any insurer offering a closed-network plan also offer a non-network option to enrollees.<sup>2</sup> These measures assure that people covered by health insurance plans will not be "forced" to change providers when their plan changes, in spite of what SB 299 advocates are attempting to lead legislators to believe.

I urge you not to be misled by the arguments of SB 299 proponents. The problems they bring forward are extremely rare in Alaska, if they exist at all. SB 299 is simply an outmoded "HMO-backlash" law copied from the lower 48 states. It has no relevance for today's Alaska market.

#### The Value of Provider Networks

A broad and robust provider network is arguably the greatest value a health insurer can bring to an Alaska consumer. Basically, the insurer and provider agree that the provider will accept the insurer's allowed amount as payment in full for a given service, and the consumer will be "held harmless" or not charged for any difference between the provider's actual charge for the service and the amount allowed by the insurer. Frequently these "balance billing" amounts can be significant, in the hundreds or even thousands of dollars, depending on the service provided.

Contrary to the arguments of SB 299 proponents, Premera Blue Cross Blue Shield of Alaska customers are not forced to choose between lower costs and choice of provider. Our enrollees currently have a wide choice of providers in all categories, and our networks are open to any provider listed in version "F" of SB 299.<sup>3</sup>

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<sup>1</sup> AS 21.xx.xxx

<sup>2</sup> AS 21.07.030(a)

<sup>3</sup> Page 2, lines 13-31 through page 3, line 1.

Premiera Blue Cross Blue Shield of Alaska quantified the value of our provider network in the context of the recent award to administer health benefits for Alaska state employees. In our proposal for that business, we stated that our provider network would save \$45 million for persons covered under the state's plan. That number represents both a huge monetary value for the state as a purchaser and peace of mind and financial protection for consumers enrolled in the plan.

### Health Care Costs – the Real Problem

The value of provider networks illustrates the key role that health insurance plays in mitigating trends of ever-increasing health care costs. Cost is a nationwide problem, but one that is particularly serious in Alaska.

A recent study by the Institute of Social and Economic Research at the University of Alaska<sup>4</sup> offers striking illustrations of the gravity of this problem and its consequences for Alaska consumers. The authors note that medical costs average 25% higher in Alaska compared to the rest of the country, with variations depending on the type of service.<sup>5</sup>

Figures that compare costs for doctor office visits are even more striking. In Alaska the average cost in 2001 was \$79, compared to a U.S. average of \$61, or 30% higher in Alaska compared to the rest of the U.S.<sup>6</sup>

Patients seeing doctors who refuse to join health insurers' networks feel a direct impact of higher Alaska costs. The authors of the study estimate that individual Alaska consumers pay approximately \$1 billion of the total annual Alaska health care bill. The authors attribute \$431 million of that \$1 billion to out-of-pocket costs. For consumers who have health insurance, those costs include not only deductibles and coinsurance required by the plan but also "balance bills" from out-of-network providers who refuse to contract with the health insurer.

For consumers, a contracted provider network represents financial peace of mind. For providers who bill significantly higher than amounts allowed by the insurer, the network contract represents substantial loss of revenue. For these providers, SB 299 does nothing to help their patients. The real problem for Alaska consumers is that health care costs start higher and are increasing faster than in the rest of the country, and it costs 30% more to go to the doctor than anywhere else in the United States.

---

<sup>4</sup> Mark Foster and Scott Goldsmith, Alaska's \$5 Billion Health Care Bill – Who's Paying? Understanding Alaska Research Summary No. 6, Institute of Social and Economic Research, University of Alaska Anchorage, March 2006.

<sup>5</sup> Foster and Goldsmith, page 7.

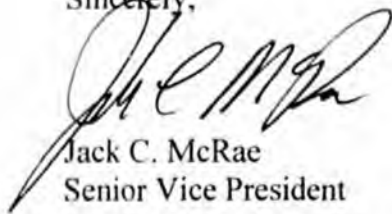
<sup>6</sup> S. as preceding note.

March 23, 2006

In closing, allow me to reiterate: SB 299 is ill-advised, unneeded legislation that does nothing to ease the \$1 billion health care price tag borne by today's Alaska consumers. Based on false assumptions, it undermines insurers' provider networks while doing nothing to address rapidly escalating health care costs in Alaska.

Premera Blue Cross Blue Shield of Alaska greatly appreciates the opportunity to offer these comments. If you have questions about our concerns, please do not hesitate to contact me.

Sincerely,



Jack C. McRae  
Senior Vice President  
Premera Blue Cross Blue Shield of Alaska

CC: Jerry Reinwand  
Phyllis Kilgore, Legislative Chair, AAHU

**SB**

**313**

# Alaska State Legislature

SENATOR  
**GENE THERRIAULT**  
Mailing Address  
119 N. Cushman, Suite 101  
Fairbanks, Alaska 99701  
(907) 486-0857  
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While in session  
State Capitol  
Juneau, Alaska  
99801-1182  
(907) 465-4797  
Fax (907) 465-3884  
SENATE DISTRICT F

## Senate

### Memorandum of Request

**To: Senator Fred Dyson / Chairman of Senate HESS**

**From: Senator Therriault / Chair of State Affairs**

**Date: April 5, 2006**

**Re: SB 313**

.....

Senate Bill 313 adds a very dangerous hallucinogenic substance to Schedule II of our illegal substances law.

A committee hearing on this matter at your earliest opening would be most sincerely appreciated.

Thank you for your time in this consideration.

# Alaska State Legislature

SENATOR  
GENE THERRIAULT

Mailing Address  
110 N. Cushman, Suite 101  
Fairbanks, Alaska 99701  
(907) 488-0857  
Fax: (907) 488-4271

While in session  
State Capitol  
Juneau, Alaska  
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Senate District F

Senate

## Sponsor Statement

### Senate Bill 313

Salvia Divinorum is very powerful a hallucinogenic substance primarily grown in the mountainous regions of Mexico. It has a history of use as a vision inducing substance by the Mazatec Indians of the region. Because it is so easy to misuse and can produce long-lasting psychological effects, it is banned in several countries and now several states.

The leaves of this perennial herb, once processed can be eaten, drunk as a tea, or inhaled. Salvia is presently available to persons in Alaska who choose to order it over the Internet. Although purchasers of this substance are asked to certify they are over the age of 18, we know such restrictions are loosely applied. Sellers and their web sites promise mind-altering experiences, but experts warn that depression and schizophrenia are very real risks with this drug. ([www.intheknowzone.com](http://www.intheknowzone.com))

As with all items that enter the pop drug culture, Salvia Divinorum is enjoying a rise in use due to the lack of restrictions. We have an opportunity to get ahead of this powerful substance and reduce the risk to our young people by following the lead of other states and countries in declaring Salvia a dangerous substance and adding it to our Schedule II list of illegal drugs. Such action would place it in the same category as mescaline and Peyote.

I urge your support for this important action.



### More Hallucinogen Hype

Every few years a new "wonder" drug promises great experiences with very little said about the harmful effects.

Two recent examples are Ecstasy and herbal Ecstasy. Drug dealers pushing these substances promised they were problem-free. Medical research has since shown that these drugs carry serious risks to a user's physical and psychological well-being. Unfortunately, many people lost their lives before they got the message.



Along comes *Salvia divinorum* (SAL-vee-ah dee-vin-OR-um), a plant that is indigenous to the mountains of Mexico. The Mazatec Indians used *Salvia* to induce visions during tribal rituals. Now people in the United States are using it recreationally—and many are getting hurt.

Law enforcement officials are monitoring the use of *Salvia* in this country. As the concern grows, they may add it to the list of illegal drugs as defined by the Controlled Substances Act.

In the meantime, Web sites and "head shops" are looking to make a few fast dollars from people gullible enough to buy into the hype. They gloss over the possible health hazards, but the reality is that the price of a *Salvia* "trip" could be very high. It is a powerful drug that is already proving psychologically and physically dangerous, although it hasn't been around long enough for its full hazards to be understood.

Some early users of LSD, mescaline, Ecstasy, and ketamine paid with their lives, physical health, and sanity for being the first to try the newest drug class. If you experiment with *Salvia*, you might do the same—and "Guinea pig" isn't much to put on a tombstone.

More About *Salvia*  
[www.inhaleandinhale.com/Salvia.html](http://www.inhaleandinhale.com/Salvia.html)



For More Information

Go to [www.intheknowzone.com](http://www.intheknowzone.com) for more information about substance abuse. Increase your knowledge with the statistics, images, and links. Test your understanding with the quick quizzes.



Don't stay in the dark.  
Get In the Know!

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divorum

*don't be a game-a-pig*

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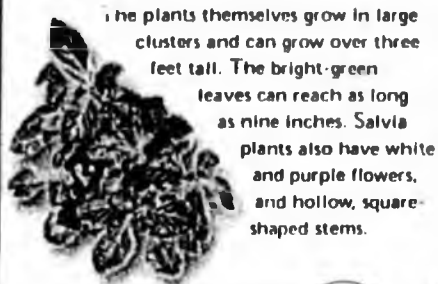
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### What is Salvia divinorum?

Salvia divinorum is a plant that resembles sage. A member of the mint family, it can grow indoors or outdoors in warm, humid climates.

### What does it look like?



The plants themselves grow in large clusters and can grow over three feet tall. The bright-green leaves can reach as long as nine inches. Salvia plants also have white and purple flowers, and hollow, square-shaped stems.

Salvia images  
[www.intheknowzone.com/salvia/images.html](http://www.intheknowzone.com/salvia/images.html)

### What are the street names?

Salvia divinorum is commonly shortened to just Salvia. Diviner's sage, Maria Pastora, Sage of seers, and Ska Maria Pastora are also terms for the drug.



### How is Salvia used?

Salvia users take the drug in several forms. Fresh leaves can be wadded together and chewed, while dried leaves can be smoked. Salvia is also brewed as a tea, or converted into a liquid extract and then vaporized for inhalation.

### How does Salvia work biologically?

The active chemical in Salvia is called Salvinorin A. It takes only a small amount, just 200 to 500 micrograms, to produce strong effects. Scientists have yet to pinpoint exactly which brain receptors react with Salvinorin A, but they have determined it to be a "psychoactive" substance, affecting both moods and mental processes.

Chemistry of Salvia  
[www.intheknowzone.com/salvia/chemistry.html](http://www.intheknowzone.com/salvia/chemistry.html)

### Short-term Effects

Hallucinations are the primary effect of Salvia. Users see and hear things that are not there in the same way as taking other hallucinogens like LSD, mescaline, or ketamine. The effects of taking Salvia can last anywhere from 3 to 8 hours, depending on the method of use and dosage amount. The higher the dose, the stronger the hallucinogenic effects. Losing consciousness is a possibility at higher dosage levels.

Users report an inebriated feeling, similar to drinking alcohol, causing slurred speech and loss of coordination. This puts Salvia users at risk for harming themselves or others, especially while driving.

Salvia abusers also risk a "bad trip." What they see and hear may be horrifying instead of funny or interesting. Many people have reported such a negative initial experience with Salvia that they would not use it again.

### Long-term Effects

The psychoactive nature of Salvia makes the drug hazardous to a user's mental health.

Just like LSD and other hallucinogens, "flashbacks" have been reported by Salvia abusers. A flashback is when a user experiences the disorienting and unpleasant effects of Salvia weeks or months after taking the drug.

Depression and schizophrenia are also real risks of Salvia abuse. Some users lose touch with reality completely and permanently.

Long-term Effects of Salvia  
[www.intheknowzone.com/salvia/longterm.html](http://www.intheknowzone.com/salvia/longterm.html)

### Salvia Addiction? Physical vs. Mental

Hallucinogens tend to be psychologically addicting. However Salvia may be physically addictive, not enough research has been done to know. Even some of the Web sites that sell the drug admit that addiction is a distinct possibility. Your best bet? Stay away from Salvia.

### Can you overdose on Salvia?

With small quantities of Salvia having such powerful effects, it would seem that overdose is a possibility. But there are no known cases of taking a lethal dose of Salvia. It is known that taking too much at one time can render a person unconscious, and there is also the risk of having a fatal accident.

### Buyer beware!

Websites of head shops that hype the benefits of Salvia are not telling the whole story. They want to sell the drug and make money, so they downplay the harmful effects of Salvia. Make sure you read the fine print before buying into the hype about Salvia. Otherwise, you may be selling your own life short.



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**My discovery of Salvia divinorum was like something out of a movie.**

**Salvia divinorum** is a surreal, lucid experience for the mind and spirit. My search for the ultimate spiritual experience and discovery of Salvia was fueled by the movie about the rock group the Doors. If you remember the movie, you would undoubtedly recall the scene where Jim Morrison is out in the desert tripping out. What was it that created that intense spiritual awakening? Was it Salvia or some other substance – but up to that point, I had never even heard of Salvia.

The out of body experience Morrison had in the movie was something I too wanted to experience. I tried it all, but it wasn't until I discovered Salvia divinorum that I reached the "higher state" I longed for.

I first came across Salvia divinorum while touring rural, mountainous regions of Mexico many years ago. Mexico is one of the best locals in the world for growing Salvia. Just before dusk, after driving on ancient roads for hours, I found myself in a tiny village in the middle of what seemed like no where.

Huddled around a huge fire at the southern edge of this village, I saw ten old, very vibrant looking men waving their arms at the sky as though they were catching the last rays of sunlight. One-by-one, I saw each man take charge of the most elaborate pipe I had ever seen and then puff on it. From over 100 yards away, I could see that their movements were influenced by the unknown nectar of the pipe. The aroma (of what I later learned to be Salvia) was like nothing I had smelled before, but yet it was extremely inviting. I walked over to these fine gentlemen, introduced myself, and was immediately invited to join them in their celebration of the sunset. No celebration in their culture was complete without Salvia.

As the pipe filled with what I now know to be Salvia, went around, then around again, the euphoria intensified. At last they invited me to part-take in the nectar of the pipe. What is it I asked? They told me in Spanish that it was "the sage of the diviners" which botanists now refer to as Salvia divinorum.

My first inhale of Salvia was a bit harsh. By the second inhale of Salvia, I began to understand that Salvia was like nothing I had ever experience before. And let me tell you, I had tried it all, but nothing came close to reaching into the inner most sanctious of my sole like the Salvia. The Salvia elevated me to new spiritual heights. But was it only the effect Salvia. Or was it the combination of the Salvia and the surroundings. Being there with these men, celebrating the sunset surely added to the intensity of my first go at Salvia divinorum.

The years passed. Surfing the net one night, after the kids were asleep, my mind drifted back to my first (and only) encounter with Salvia that afternoon in Mexico. I typed in Salvia divinorum, not really expecting much. To my surprise, I hit on

SalviaSupply.com. Unbelievable I thought. Can it be? Is Salvia so easily available? Is it as good as the Salvia I had in Mexico? Is Salvia legal? Is Salvia safe? I just had to try Salvia again. So I pulled out my credit card and was ready to place an order for a few ounces of Salvia divinorum extract. The information provided on the site on Salvia was great. I learned that the way SalviaSupply conducts their extractions on Salvia extract is in fully licensed and government approved pharmaceutical laboratories. **They use 100% pure grain alcohol extraction of Salvia divinorum to get the highest level of Salvinorin A.** This ensures that the Salvia you get from SalviaSupply is the most effective available on the market and perfectly safe. What's more, Salvia divinorum extract comes in varying degrees of potency - from 5x to a whopping 30x Salvia divinorum extract. Since age has mellowed me a bit, I went for the 10x Salvia divinorum extract from SalviaSupply.com.

Within a few days, my special (secret) package of Salvia arrived. Closely following the instructions, I smoked my new found Salvia for the first time in many years and felt completely safe knowing that the potency was controlled.

After a few puffs of the Salvia, my mind and spirit where back in that village in Mexico. For me Salvia is my time machine. Now I treat myself to my Salvia every once in a while. What better way than to shed the burdens of life than by escaping with a bit of Salvia.

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# Salvia divinorum

From Wikipedia, the free encyclopedia

*Salvia divinorum* (also known as **Diviner's sage**, *María Pastora* or simply **Salvia**, although the genus name is shared among many plants) is a psychoactive plant, a member of the sage genus and the Lamiaceae (mint) family. The plant is grown by the Mazatec indigenous people of the Oaxaca mountains of southern Mexico in isolated, moist, and secret plots. It has been used as an entheogen by their shamans for centuries for healing during spirit journeys. It is thought to be a cultigen. No definitively wild populations have been found. The Latin name *Salvia divinorum* literally translates to "sage of the diviners".

The primary psychoactive constituent is trans-neoclerodane diterpenoid known as *salvinorin A*. *Salvia* also contains the closely related compounds salvinorins B-G, divinatorins A-E, salvinicins A and B, and hardwickiic acid. Salvinorin A is the most potent naturally-occurring hallucinogen known. It is active at doses as low as 100 µg [1]


([http://www.crowid.org/plants/salvia/salvia\\_faq.shtml](http://www.crowid.org/plants/salvia/salvia_faq.shtml)). Recent research has shown that salvinorin A is a remarkably potent and selective kappa opioid receptor agonist. It has been demonstrated that the effects of salvinorin A are blocked by kappa opioid receptor antagonists. This indicates that the effects of *S. divinorum* can be largely, if not entirely, attributed to kappa agonism. Salvinorin A is unique in that it is the only naturally occurring substance known to induce a visionary state *via* this mechanism of action.

## Contents

- 1 History
- 2 Usage and effects
  - 2.1 Methods of ingestion
    - 2.1.1 Traditional Methods
    - 2.1.2 Nontraditional Methods
  - 2.2 Subjective effects
  - 2.3 Duration and after-effects
- 3 Chemistry
- 4 Legal status, Controversy
- 5 Botany
- 6 References
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## History

In 1939 *Salvia* was first recorded in print by Jean Basset Johnston. He was studying the psilocybin mushroom use

<b>Diviner's sage</b> <span style="float: right;">?</span>

A healthy <i>Salvia Divinorum</i> .
<b>Scientific classification</b>
Kingdom: <i>Plantae</i>
Division: <i>Magnoliophyta</i>
Class: <i>Magnoliopsida</i>
Order: <i>Lamiales</i>
Family: <i>Lamiaceae</i>
Genus: <i>Salvia</i>
Species: <i>S. divinorum</i>
<b>Binomial name</b>
<i>Salvia divinorum</i>

of the Mazatecs in Mexico when he encountered this entheogen. R. Gordon Wasson documented its use a decade later and reported its effects through his own testimonials. Historical data at this point is largely unresearched, but it is likely to date back into the early history of Central America. It was not until the 1990s that it become more widely known through the experiments of Daniel Siebert.

As is often the case with cultigens, it is likely that the history of this plant dates back a number of generations. Cultigens require a long historical relationship with human cultures, and salvia is no exception. Perhaps the decline of its widespread use began with the Spanish Conquest, or this phenomenon may have been already underway, either due to religious or political reasons.

Gordon Wasson theorized that this plant was the mythological *pipilzintzintli*, the "Noble Prince" of the Aztec codices. This theory would explain why a cultigen of such extraordinary power was not otherwise known to the Aztecs, but this theory is not without dispute. The Aztecs were extremely knowledgeable in plant identification, and in their records report that *pipilzintzintli* has both male and female varieties. *Salvia divinorum* is lacking sexes, meaning there are no male or female flowers, as its flowers contain both sexes. The skeptics of this theory report that the Aztecs would have known the difference between male flowers and female flowers. Wasson, still, may have been correct in his hypothesis, in that there are a number of historical accounts of gendered properties being assigned to plants in a metaphorical manner, not in a botanically anatomical one.

## Usage and effects

### Methods of ingestion

#### Traditional Methods

Mazatec shamans use two methods of ingestion. Often, they simply eat the fresh leaves by chewing and swallowing them. Sometimes, they crush the leaves to extract the leaf juices, which they then drink (usually mixed with water). Reportedly, dosages vary from as few as 6 leaves to as many as 120, when using these methods.

#### Nontraditional Methods

Dry leaves can be smoked in a pipe but most users prefer the use of a bong to cool the smoke. The temperature required to release salvinorin-A from the plant material is quite high (about 240°C). A regular flame will work, but the direct application of something more intense, such as the flame produced from a butane torch lighter, is often preferred.

Many people find that smoking the unprocessed dried salvia leaf produces only light or unnoticeable effects, perhaps due to the large volume of plant material that must be smoked to produce psychoactive effects. However, responses vary widely. A concentrated preparation of salvia leaf called salvia extract, with relative strength suggested by terms such as 5x, 10x, and 20x, may be smoked in place of natural strength leaves, this reduces the total amount of smoke inhaled for a given dosage of salvinorin overall, and facilitates more powerful experiences. One cone of 5X strength extract should be enough to produce the desired effect.

Sublingually ingested tinctures constitute another form of prepared salvia. A tincture is made from salvia leaf that has had the psychoactive components extracted, often using high-proof ethanol. Once produced, the liquid can either be used as a tincture or infused into salvia leaf, creating smokable salvia extract.

The traditional Mazatec method can also be employed; however, Salvinorin-A is generally considered to be inactive when ingested, because the chemical is inefficiently absorbed in the gastrointestinal tract unless

thoroughly emulsified; therefore, emphasis is often placed on holding the leaves (and also the saliva secreted during chewing) in the mouth as long as possible, to facilitate absorption through the oral mucosa. This consumes much more of the drug than smoking, but also produces a longer-lasting experience.

## Subjective effects

Most users find that the effects of salvinorin are not conducive to socializing. People given Salvia often feel as though a trick has been played on them; in fact, while under the influence, most people tend to find any external stimuli distracting. Most people under the influence of salvia will remain in place although some users may move around. This can be especially dangerous as the user is in an altered state of consciousness and is therefore at a greater risk of unintended bodily injury. It is advisable to have a sober trip sitter present.

The effects of salvia are found by many to be highly spiritual entheogenic experience. Others find salvia useful for meditation. Consciousness is retained until the highest doses, but body control, awareness of externalities, and individual personality can disappear with even modest amounts. Even experienced drug users may feel totally out of control and confused.

At lower doses the user may experience spontaneous laughter, mild closed-eye visuals, stuttering or strobing visual effects, changes in depth perception, and a heightened sense of color and texture.

Moderate doses appear trance-like. Time distortion and open-eye visuals become increasingly apparent. Fractal patterns and geometric shapes may be noticeable with eyes open, and can be very confusing. Many people experience sensations of falling, similar to what is occasionally felt at the onset of sleep. The user may experience fully formed visions of other places, people, and events, especially with eyes closed.

At high doses, the effects become more powerful and may additionally include out-of-body experiences, perceptions of gravitational distortion, vertigo, sensations of wind or physical pressure, hearing voices, flanging of sound, significant open and closed-eye visuals, experiencing alternate realities, contact with beings or entities, dissolution of one's ego, and dissociation. It is also typical that, while under the effects of salvia, a person will not realize they have used the drug. The salvia experience is quite different from that of most other hallucinogenic drugs and may be overwhelming, even with the correct set and setting. Most users recommend darkness and silence as the best environment, however, minimal, ambient or relaxing music can be helpful.

According to experience reports at Erowid ([http://www.erowid.org/experiences/subs/exp\\_Salvia\\_divinorum.shtml](http://www.erowid.org/experiences/subs/exp_Salvia_divinorum.shtml)) and elsewhere, Salvia seems to produce visual hallucinations which have a somewhat higher level of consistency than other substances. Reports of contact with an entity supposedly associated with the plant, ("the Shepherdess") again with fairly consistent characteristics, are also common.

Many salvia users, during high-dose out-of-body experiences, may suddenly "merge" with objects. With the significant time distortion typical of salvia, users may live a lifetime as another person, or as an inanimate object, such as a wall or a piece of furniture. The experiences can be extremely pleasant, or very frightening and confusing.

People often fail to achieve the effects the first time they try the plant, possibly due to problems in the administration of the drug. With repeated use, anecdotal evidence suggests that decreased dosage may be possible for the same level experience. Due to the lack of scientific studies on Salvia, if true it is unknown whether this is due to learning proper techniques of administration or a sensitization factor, sometimes colloquially referred to as "reverse-tolerance".

Some people who try Salvia find it difficult or impossible to achieve the desired effects. This may be due to an

insufficient flame. However, sometimes the results are unpredictable. For example, a user may smoke a large amount and feel no effect, but the next day may smoke a small amount and experience a strong trip.

### Duration and after-effects

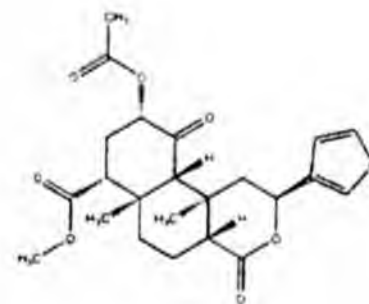
If inhaled, the effects do not last very long, with the peak reached within one minute and then a slow descent back to one's self after about five minutes and back to baseline within 15 to 20 minutes. Chewing the leaf (in a 'quid') makes the effects come on more slowly and be experienced for longer. The first 5 minutes after smoking extract are very intense, and should be experienced lying or sitting down, eyes closed.

Most users report no hangover or negative after-effects. Some users report a pleasing "afterglow," or pleasant sensation and state of mind persisting after the experience has ended. Others, however, claim that Salvia has a depressing effect. Salvia has not been found to be either physically or psychologically addictive. There are no proven health risks associated with the psychoactive chemicals, although the long-term effects on the human body are not well documented. However, smoking any substance is generally regarded as unhealthy by medical professionals.

## Chemistry

The primary active constituent is *Salvinorin A*, sum formula  $C_{23}H_{28}O_8$ . Unlike most other known psychoactive compounds, Salvinorin A is not an amine—meaning it contains no nitrogen functional group. The Salvinorin group of compounds (including Salvinorin A, Salvinorin B and Salvinorin C) are called neoclerodane diterpenoids.

Extraction and purification of Salvinorin A has been documented but should only be attempted by qualified researchers with experience in chemistry and the proper laboratory equipment. Measurement of safe dosages is difficult and requires a sophisticated analytical balance, due to the extreme quantitative potency of Salvinorin A.



Salvinorin A

## Legal status, Controversy

Until the late 1980s, not many people knew about salvia. The heavy commercialization of the Internet in the mid-1990s and the realization that the plant was not legally controlled engendered numerous Internet mail-order businesses which sold dried salvia leaves and other preparations, sometimes for exorbitant prices.

The general public became increasingly aware of salvia in 2002. As of June 1, 2002, Australia became the first country to ban salvia and salvinorin [2] ([http://www.cognitivefreedom.org/news/salvia\\_australia.htm](http://www.cognitivefreedom.org/news/salvia_australia.htm)), [3] ([http://www.thecouriermail.news.com.au/common/story\\_page/0,5936,5717251%5E3102,00.html](http://www.thecouriermail.news.com.au/common/story_page/0,5936,5717251%5E3102,00.html)). In late 2002, Rep. Joe Baca (D-California) introduced a bill in the United States House of Representatives to schedule salvia as a controlled substance, and the DEA has indicated on its website that it is aware of salvia and is evaluating the plant for possible scheduling.

Press accounts of efforts to ban salvia often quote law enforcement and government officials who exhibit an inaccurate knowledge of the drug's effects, and frequently characterize the "high" as "chewable marijuana", or as identical to LSD and PCP (two drugs with quite dissimilar effects to *each other*, as well as to salvia).

Under Louisiana Act № 159, 40 plants, including *Salvia divinorum*, have become illegal if sold for human consumption. It is still legal to own the plants. More laws regarding *S. divinorum* can be found at Erowid's Salvia

Law vault ([http://www.erowid.org/plants/salvia/salvia\\_law.shtml](http://www.erowid.org/plants/salvia/salvia_law.shtml)).

Salvia divinorum was outlawed in Missouri in fall 2005. New York is considering a bill that would place heavy civil penalties on the sale of the plant. Illinois is also considering regulating Salvia divinorum.

In January 2006, the Swedish government declared their intention on making salvinorin A and all plants containing the chemical illegal. This law has been in effect since 1 March 2006.

In Delaware on January 23 2006, teen Bret Chidester (<http://www.delawareonline.com/apps/pbcs.dll/article?AID=/20060226/NEWS/602260356/-1/NEWS01>) committed suicide. His suicide note referred to the drug. In an essay found after his death, he wrote "*Salvia allows us to give up our senses and wander in the interdimensional time and space,... Also, and this is probably hard for most to accept, our existence in general is pointless. Final point: Us earthly humans are nothing.*" Because his use of the drug is considered to have contributed to his suicide, the Delaware State Legislature is rapidly moving to pass legislation (<http://www.delawareonline.com/apps/pbcs.dll/article?AID=/20060323/NEWS/603230360/-1/NEWS01>) that would make the drug illegal there.

Unlike marijuana, salvia has a nondescript appearance (being in the same genus as cooking sage), can be grown in a small space, has no odor and requires no elaborate lighting set-up, criminalization is likely to affect only the commercial sale of the plant, and not its private cultivation, which would be impossible to police. For most regular users growing the plant is considered to be an integral part of establishing a relationship with it.

## Botany

Unlike other sages, *Salvia divinorum* produces very few seeds, and the seeds it does produce seldom germinate. It appears to have very little histocompatibility variation, so the pollen from a plant genetically identical to the style fails to reach the ovule. It is propagated by cuttings and by falling over and growing new roots. Although reportedly (Valdez, et al) isolated stands of *S. divinorum* exist in its native range, these are thought to be purposely created and tended by the people of the region. Therefore it is considered a true cultivar and thus does not occur naturally in the wild anywhere.

For the most part, the fate of the species lies with a very small number of clone plants. Of these few clones, there are only two that are in any kind of public circulation; the Wasson/Hofmann strain, and the Blosser ("Palatable") strain. The former is a strain discovered by those whose name the plant bears, when on a visit to the Mazatecs. The latter is the same case, in regards to name, and was discovered in Oaxaca; it is called "Palatable" as well, as it is said to have more palatable leaves when ingested orally than those of the Wasson/Hofmann strain, though other reports state that there is little difference between the taste of the plants. Other varieties are also grown, including the Luna strain which is a strange offshoot of the Hofmann/Wasson line. A few other strains exist, but they are mostly quite similar, in potency, effect, and growth.

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1. Chavkin C, Sud S, Jin W, Stewart J, Zjawiony JK, Siebert DJ, Toth BA, Hufeisen SJ, & Roth BL. Salvinorin A, an active component of the hallucinogenic sage salvia divinorum is a highly efficacious kappa-opioid receptor agonist: structural and functional considerations (<http://jpet.aspetjournals.org/cgi/content/abstract/308/3/1197>). *J. Pharmacol. Exp. Ther.* 2004 Mar. 308 (3): 1197-1203.
2. Roth BL, Baner K, Westkaemper R, Siebert D, Rice KC, Steinberg S, Ernsberger P, Rothman RB. Salvinorin A: a potent naturally occurring nonnitrogenous kappa opioid selective agonist (<http://www.pubmedcentral.nih.gov/articlerender.fcgi?tool=pubmed&pubmedid=12192085>). *Proc. Natl. Acad. Sci. U.S.A.* 2002 Sep 3, 99 (18): 11934-11939.


## External links

- The Salvia divinorum Research and Information Center (<http://sagewisdom.org/>) - Daniel Siebert's site
- Erowid Salvia Divinorum Vault (<http://www.erowid.org/plants/salvia/salvia.shtml>) - Salvia section from Erowid's vast reference site
- Lycaeum page on Salvia divinorum (<http://leda.lycaeum.org/?ID=269>) - another large reference site for psychoactives
- The Salvia Center (<http://www.salviacenter.com/>) - a hub for Salvia information on the web
- Salvia Divinorum Scotland (<http://www.salvia-divinorum-scotland.co.uk/>) - information and advice on cultivation etc.
- International section of the "Salvia Community" (<http://www.salvia-community.net/International-f16.html>) - discussions with Salvia experts from all over the world
- SpiritPlants Salvia Forum (<http://www.spiritplants.org/>)
- SalviaD Alliance Forum ([http://groups.yahoo.com/group/SalviaD\\_Alliance](http://groups.yahoo.com/group/SalviaD_Alliance))
- The Entheogen Forum (<http://www.entheology.org/>)
- The Australian Salvia Crusaders (<http://www.geocities.com/salviacrusaders/>) - Issues Regarding Australian Law and Salvia Divinorum

Retrieved from "[http://en.wikipedia.org/wiki/Salvia\\_divinorum](http://en.wikipedia.org/wiki/Salvia_divinorum)"

Categories: Dissociatives | Entheogens | Herbal and fungal hallucinogens | Lamiaceae

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*Salvia divinorum* leaves

## Drug Enforcement Administration Newark Division

**Michael Pasterchick, Jr.  
Special Agent in Charge**



### **Salvia Divinorum, aka Maria Pastora, Salvia (Salvinorin A, Divinorin A)**

#### **Introduction**

*Salvia Divinorum* is a perennial herb in the mint family native to certain areas of the Sierra Mazateca region of Oaxaca, Mexico. It is one of 500 species of *Salvia* in the New World is in similar to the sage plant. The plant grows in large groupings to well over 3 feet in height. It's large green leaves, hollow square stems and flowers are it's characteristic features. *S. Divinorum* is one of several vision-inducing plants employed by the Mazatec Indians

There has been a recent interest among young adults and adolescents to re-discover ethnobotanical plants that can induce changes in perception, hallucinations, or other psychologically-induced changes. Since *S. Divinorum*, or any of its active ingredients are not specifically listed in the Controlled Substances Act, some on-line botanical companies and drug promotional sites have advertised *Salvia* as a legal alternative to other plant hallucinogens like mescaline. The plant material is smoked for the induction of "mystical" or hallucinogenic experiences.

#### **Chemistry/Pharmacology**

"Salvinorin A" the active component of *S. Divinorum*, is most effective when vaporized and inhaled. Chemically, Salvinorin A is a neoclerodane diterpene, a psychotropic terpenoid. The grouping of psychoactive plants containing terpenoid essential oils includes *Salvia Divinorum*, Wormwood (Absinth), and *Cannabis Sativa* (tetrahydrocannabinols, THC). Divinorin A was chemically characterized by Valdes et al., in 1984, however Ortega et al., (1982) had previously characterized the same substance and called it Salvinorin A and thus, out of convention, the psychoactive substance should be called Salvinorin A. A dose of 200 to 500 micrograms produces profound hallucinations when smoked. Its' effects in the open field test in mice and locomotor activity tests in rats are similar to mescaline. Salvinorin A's action in the brain are not

well elucidated. However, recent tissue testing (in vitro assays) have suggested that Salvinorin A may act at the kappa opiate receptor site, but functional assays are lacking to determine the exact mechanism of action of this drug substance.

#### **Illicit Uses**

Salvia is being smoked to induce hallucinations, the diversity of which are described by its users to be similar to those induced by ketamine, mescaline, or psilocybin. It is being widely touted on internet sites aimed at young adults and adolescents eager to experiment with these types of substances.

#### **User Population**

The user populations, thus far, seems limited to younger adults and adolescents influenced by the promotion of the drug on internet sites

#### **Illicit distributed**

Salvia Divinorum is grown domestically and imported from Mexico, and Central and South America.

#### **Control status**

Salvia Divinorum, Salvinorin A, and Divinorin A are not listed in the Controlled Substances Act.

Comments and additional information are welcomed by the Drug and Chemical Evaluation Section, FAX 202-307-8570 or telephone 202-307-7183.

September, 2002

November 13, 2005

## Salvia: It's intense, it's dangerous, it's inexpensive ... and it's legal

By **JOHN DARLING**  
for the Mail Tribune

Few police, teachers or counselors have even heard of it, but the drug salvia — a powerful psychedelic herb from Mexico — is legal in the U.S. and easily purchased over the counter in Medford or on eBay.



□ Salvia is a powerful, legal herb from Mexico that produces vivid, often terrifying hallucinations. The drug is sold in Magic Man in various strengths.

Mail Tribune / Bob Pennell

Also known as Diviner's Sage or Sally-D, salvia divinorum is extremely intense, say those who have tried it. They say it is as powerful or more so than LSD and produces vivid, often terrifying hallucinations and out-of-body experiences lasting five to 10 minutes. Effects vary widely; a few users report little or no effect.

The herb is sold at Magic Man in the Bear Creek Shopping Center in various strengths for \$11.95 to \$44.95. In Ashland, Zen Den doesn't sell it and Puff's used to but stopped.

Theresa Jermain of Medford called police when a 17-year-old high school student, for whom she is guardian, bought salvia at Magic Man and, after smoking it, told her he "got real high" and it was "way too strong."

After checking out the shop, police reported back to Jermain that the drug was not illegal and there was nothing they could do, she said.

The student, "Chris," who asked not to be identified by his full name, said he smoked it with 15 fellow South Medford High School students and that only three of them had a "good trip" — the rest being "very bad." Students, he added, are little aware of the drug and it's not being much used there.

He described his experience as an "out-of-body experience in a totally different world" followed by a bad "body high," in which he felt sick and awkward and couldn't move. With a cell phone, he videoed another student on salvia hallucinating and trying to crawl out the back window of a car, he said.

Sheriff's Lt. Dewey Patten, commander of the Jackson County Narcotics Enforcement Team, said he wasn't aware of the drug. "I don't know what we'd do if we found someone whacked on it, because it's not illegal," he said.

Jan Janssen, community outreach officer with Ashland Police, said she'd never encountered it, but after consulting the drug Web site erowid.org, said it's surprising that it's legal, considering that most users report unfavorable experiences. Ashland officers trained as drug recognition experts do know the drug and can spot its effects, she said.

Patten consulted a comprehensive drug reference, "Uppers, Downers and All-Arounders," co-written by Ashlander William Cohen, who also lectures and makes films about psychoactive drugs.

Salvia, wrote Cohen, is similar to PCP and originates among the Mazatec Indians of Oaxaca, Mexico, who use it to induce dreamlike hallucinations, delirium and out-of-body experiences, so as to seek out the causes of illness.

The effects, or "trip," last up to 10 minutes, tapering off over half an hour, with the nature of the trip dependent on the person's mind-set and surroundings.

"Cliff," a 19-year-old from Ashland who asked not to be identified, called salvia an "anti-drug drug" because his trip was so intense that it turned him off alcohol and drugs.

"In my first trip, my legs turned t a waterfall of tears," said Cliff. "The second time, I thought, seriously, that I had died and that my soul was being sucked out of me. It was the most intense thing I've ever done. Coming off it, I felt needles were coming out of my body. It definitely had teaching value because I was abusing (alcohol and drugs) and it gave me a lot of insight about what I was doing."

Magic Man owner John Hopf said salvia is sold as an incense or meditative aid like sage — and that customers learn about it on the Internet and come in to buy it. Although Hopf said he knows of no psychedelic properties for the plant, his store had a stack of printouts from a government Web site warning that salvia is a powerful hallucinogen.

"Pete," 27, another Medford resident who used salvia and asked not to be identified, said he had bought salvia from Magic Man seven or eight times. He described it as "a meditative thing that helps you feel a reality outside the ordinary reality and become one with yourself, as a unity."

He added, "It's very personal, not smoke-a-bowl-and-relax."

"Max," an 18-year-old senior at North Medford High School who bought salvia last week at Magic Man and declined to be identified, said friends suggested he try it. "I'm curious. I'll probably feel good for a while and hallucinate. They said it was worth the money for the feeling you get."

The federal Drug Enforcement Administration has the plant under review based on its potential abuse, availability and effects on users, said DEA public affairs officer Lauren Alder in Washington, D.C.

"The DEA lists it as 'of concern,' but just because it's not listed as a controlled substance doesn't mean it's healthy or safe," said Alder. "The medical profession stresses the danger of it."

The DEA Web page on salvia — [www.usdoj.gov/dea/pubs/states/newsrel/newark\\_intel\\_bulletin\\_salvia.html](http://www.usdoj.gov/dea/pubs/states/newsrel/newark_intel_bulletin_salvia.html) — classifies it as a psychoactive terpenoid, a family that includes marijuana. It produces "profound hallucinations," with effects similar to mescaline, the DEA bulletin said.

The DEA welcomes comments at its Drug and Chemical Evaluation Section: 202-307-8570 (fax) or 202-307-7183 (phone).

Three years ago, staff Oregonian columnist Margie Boule branded salvia "the most powerful natural hallucinogen known on earth."

"Salvia divinorum is a wild ride," wrote Boule. "This is not a drug that simply makes people play Beatles' records backward. It induces powerful hallucinations that sometimes are terrifying."

Salvia is illegal in Australia, Italy, Denmark, Norway and South Korea. California Rep. Joe Baca in

2002 introduced a bill to ban it in the U.S., but, says erowid.org, it is chemically different from schedule I and II drugs, so it is not covered by the federal law used to ban drugs.

## SALVIA

*salvia divinorum*

- **Other names:** Diviner's Sage, Sally-D
- **Cost:** Sold in various strengths for from \$11.95 to \$44.95 a bag
- **Use:** Similar to PCP, intense hallucinations lasting for 5-10 minutes when the drug is smoked
- **Legal use:** An incense or meditative aid, akin to sage
- **Federal position:** The U.S. Drug Enforcement Administration has the plant under review. The government classifies it as a psychoactive terpenoid, with effects similar to mescaline
- **Why is it still legal?** Chemically differences from schedule I and II drugs mean it is not covered by the federal law used to ban drug
- **Where is it banned?** Australia, Italy, Denmark, Norway and South Korea
- **Salvia web site:** erowid.org
- **DEA information:** [www.usdoj.gov/dea/pubs/states/newsrel/newark\\_intel\\_bulletin\\_salvia.html](http://www.usdoj.gov/dea/pubs/states/newsrel/newark_intel_bulletin_salvia.html)
- **Comments:** The DEA welcomes comments at its Drug and Chemical Evaluation Section: 202-307-8570 (fax) or 202-307-7183 (phone).

*John Darling is a free-lance writer living in Ashland. E-mail him at [jdarling@jeffnet.org](mailto:jdarling@jeffnet.org).*

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## Teens, and now DEA, are on trail of hallucinogenic herb

By Donna Leinwand, USA TODAY

WASHINGTON — Federal drug agents are so concerned about the growing use of a little-known and accessible herb with hallucinogenic qualities that they are taking steps to treat it like cocaine, heroin and LSD, and make it illegal.

The herb is salvia divinorum, a type of sage native to the Sierra Madre Oriental mountain range in Mexico and used by natural healers there. It can alter perception and induce visions when smoked or chewed.

Salvia emerged in the USA about three years ago. Word spread on the Internet. And now, teenagers and young adults in search of mind-bending experiences are trying it.

Its price ranges from \$8.95 to \$120 an ounce depending on potency. It is sold in "head shops," on the Internet and, in one St. Louis suburb, a record shop at a mall.

In St. Peters, Mo., young teens were smoking salvia that they bought at the mall until January, when the Board of Aldermen banned its sale to those younger than 18.

"It's not like this substance is overtaking the streets of America, but I could see it becoming a problem as it becomes more available," said Sgt. Rick Gerger, a detective in St. Peters.

The Drug Enforcement Administration agrees and is collecting information about the herb's active ingredients as the first step toward seeking to have it declared an illegal controlled substance.

"My main concern is that young people are buying something and taking something that we know almost nothing about," said Frank Sapienza, chief of the DEA's drug evaluation section.

But the herb has its defenders, who say there is little information that points to addiction or side effects with its use.

"I find it really bizarre that you can outlaw a plant," said Kim Upton, who runs the Starlight Goddess metaphysical store in Louisville. The store sells salvia. "Even nutmeg taken in large quantities will give you a bigger buzz than LSD."

Daniel Siebert of Malibu, Calif., sells salvia on the Internet for as much as \$120 an ounce. His buyers are "spiritual seekers," he said. They must acknowledge that they

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have read information on salvia and that they are at least 18. He encourages people who take it to have sober "sitters" who watch so users don't hurt themselves while hallucinating.

Even so, he says the DEA is overreacting to salvia.

"It could never become popular like marijuana or Ecstasy," Siebert said. "The effects are not desirable for recreational drug users. It's not something that is fun. It's more of an existential ordeal."

**Find this article at:**

[http://www.usatoday.com/news/nation/2003-06-22-salvia-usat\\_x.htm](http://www.usatoday.com/news/nation/2003-06-22-salvia-usat_x.htm)

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**FOX 9 INVESTIGATORS**

**Salvia Divinorum**

By Trish VanPilsom of the Fox 9 Investigators:

Think of the world of salvia divinorum as a place where Jimi Hendrix meets Harry Potter. From the movie: "Welcome my children. Soon you shall explore the noble art of divination." Divination. To see beyond the here and now. First you must broaden your minds. You must look beyond.

Is salvia divinorum A, as it's sometimes called, a magic herb? Your mind will put you in very strange places. Actually different worlds. Or is it, as Hermione so aptly puts it: "what a bunch of rubbish." It's more a hyped up thing than anything else."

Don't dismiss the divinorum just because you haven't heard of it." It's a young person's thing. It's being talked about among the 19-year olds. The 20 year olds. Even younger. "I know a lot of people who will be looking for people who are 18 specifically to get it for them." That's because you have to be 18 to buy it.

Before we get to all that legal stuff, let's back up a minute: What exactly is salvia divinorum? It's a hallucinogenic. And can cause psychological effects.

Back it up a bit further: Salvia divinorum is a plant. A member of the mint family. They say you're supposed to smoke it in a water pipe. Salvia is considered sacred medicine by Shaman healers in Oaxaca, Mexico. It is said to produce a "visionary trance" that allows the healer to travel to the supernatural world to discern the true cause of disease.

Salvia's use as a legal recreation drug has quietly swelled here in this country in the past four years. Fueled by internet sales. "This pipe you can use. Put the tobacco in here. than smoke it like that, you know." This tobacco and paraphenalia shop sells more than 20 packages a week. "Is this safe?" "Yeah. This is safe. Just like smoking. Just like tobacco." It's nothing like tobacco.

"Should parents be concerned?" "Yeah. I mean I certainly would be." Salvia's chemistry is different than other hallucinogens. So it does not fall into an illegal drug classification. Nor does it show up in a drug test. Potency? That depends on the plant. The processing. And the person. "Didn't really feel much of any effect." "what were you expecting?" "Most people said you melt into whatever you're sitting. Then their mind would not be with their body."

The web is full of accounts of more dramatic out of body experiences." You become other things. You can travel places in your mind. And not always pleasant places. It can feel, we're told, as though your trapped in a horror film. Or the worst of nightmares. Unable to wake up. It can be just terribly frightening. So frightening that users are supposed to have someone with them. A kind of babysitter. You're



not in control of yourself. You're not aware of what your body is doing. You could accidentally hurt yourself. So frightening that a couple of people have turned up at the HCMC emergency room. Although by the time they got here, they were fine again.

There's a lot that's not known about this. And these receptors, these brain receptors, all the information's not in. And it's a crapshoot. And do you want your kid out there playing russian roulette? No. I don't think so.

Russian roulette in a small plastic bag. We won't tell you exactly where we found it. But there are several stores that carry it. Packages are printed with what experts call bogus disclaimers: "Sold for incense only." Same kind of language on the printed info sheets some stores hand out. Bogus because the same packages and the same handouts also included phrases such as "this product will not show up in a drug test." Or first time uses "sober sitter recommended."

"We sell it for incense." "I know but that doesn't mean that people don't use it." "I don't know what you're talking about." "you don't?" They're a bit touchy about the whole thing at this store. "But can you explain what this Salvia is for?" "We have no comment. You have to go." "But it's just for incense, why not talk about it." "We have no comment." "Can you leave the store?"

This store doesn't bother with the incense charade. Instead, we get smoking advice: "You're supposed to hold it in as long as you can and blow it out til it's gone." from a guy who warns that the herb's legal for now. Until the DEA finds out about it, he says. "I seen one guy freak out after taking it. i heard like people hallucinate? Oh yeah. It's that strong. It's like an intense acid trip."

The freaking out, as its been described to us, isn't fun. A lot of people stop it cold turkey and never do it again because they have just one bad experience. Between the bad trips and and the disappointing ones sally may do more to regulate herself than the cops ever could.

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Firstcoastnews.com Article

## Potentially dangerous drug "salvia" is popular in the party scene

By Jamie Muro  
First Coast News

JACKSONVILLE, FL -- Teens and college students often make the mistake of "trying anything once." But that policy and a powerful herb for sale on the Internet could prove a deadly combination.

It's called "salvia," an herb from the mint family. University of Florida pharmacy experts say salvia divinorum is gaining popularity with the recreational drug users. One woman, we'll call her "Alexia," used the drug once, and that was enough.

"When it first hits you, it's like euphoric, reality changes, it's a trip, but it's not like acid, it's a lot different."

But neither users nor scientists have a handle on the herb's potential dangers. Salvia is a plant native to Mexico that apparently causes hallucinations similar to those experienced with L-S-D. And although salvia is not classified as a controlled substance, drug experts stress that just because a drug is made available online it's by no means safe.

"I would see it as a roll of the dice. A person who chooses to use salvia is taking a huge risk in my opinion because of what we don't know about the long term effects of this drug," said Dr. Paul Doering who is with the University of Florida.

Finding salvia is easy enough, simply log onto the internet and there are plenty of vendors, promising "high potency." Too "high" for some college students.

"I've talked to some college students who've used this drug and they've flat out told me, "Never again!" said Dr. Doering.

Pharmacists have little information on how many people are using salvia. But they say the numbers are likely on the rise. Research indicates that only one in ten users who bought and used salvia off the internet came back to make a second purchase.

Experts say this shows the drug's unpredictability among individual users.

As far as the party scene, "Alexia" advises salvia is not the path for a good time.

"If you use it as a party drug, they're going to be abusing it, using too much of it, you really shouldn't drive when you're using it, it changes reality."

First Coast News



Salvia Divinorum



Dr. Paul Doering

● Information on Salvia Divinorum



<http://www.delawareonline.com/apps/pbcs.dll/article?AID=/20060226/NEWS/602260356/1006>

## Legal high new worry for parents

LSD-like herb blamed in Delaware teen's suicide

BY MIKE CHALMERS  
THE NEWS JOURNAL  
02/26/2006

In the daily search for reasons behind their 17-year-old son's suicide, Dennis and Kathy Chidester keep coming back to the same answer: salvia divinorum.

The herb, a cousin of the flowering sages enjoyed by backyard gardeners, contains the world's most potent natural hallucinogen, as strong as LSD. The drug is legal in most states, including Delaware, and easily available through hundreds of Internet sites, including eBay.

That aura of legitimacy lulled Brett Chidester, a straight-A senior at Salesianum School, into thinking smoking salvia leaves was safe, even while convincing himself that he had gained incredible insights into the universe, his parents said.

"Salvia allows us to give up our senses and wander in the interdimensional time and space," Brett wrote in an essay his parents found after his death. "Also, and that is probably hard for most to accept, our existence in general is pointless. Final point: Us earthly humans are nothing."

Brett acted on that belief Jan. 23.

Dennis Chidester had been trying to call Brett all day with no luck. He came home at 5 p.m., opened the garage door and saw a tent pitched inside -- an odd sight that he didn't process right away.

"I just ran upstairs calling his name," Chidester remembered. "Now my heart's pounding. He's not in his room. I go downstairs, I go into the garage and I open up that tent.

"That's the one thing I didn't want to do," he said, his voice cracking. "I found him in there, dead. He had taken a charcoal grill and ... carbon monoxide poisoning."

Brett's essay, suicide note and actions before his death still



COURTESY OF THE CHIDESTER FAMILY

Bret Chidester's parents are certain that smoking salvia divinorum led him to take his own life.



Salvia divinorum is a perennial herb. When chewed or smoked, it produces LSD-type hallucinations.

About the time Brett Chidester started smoking salvia, his parents say, he began falling into moods of anger or melancholy.

leave his parents with more questions than answers.

"We just won't have any answers, and we have to learn to accept that," Kathy Chidester said. "But my gut feeling is it was the salvia. It's the only thing that can explain it."

#### Abuse concerns DEA

Mazatec Indians have used *salvia divinorum* to divine spiritual truths for hundreds or thousands of years, experts said. Outsiders discovered it in the 1960s, but it remained a relatively obscure drug until popularized on the Internet, beginning in the 1990s. It's now sold as live plants that can be grown indoors, dried leaves or liquid extracts, from tiny bags costing a few dollars to wholesale shipments for hundreds of dollars.

"You type 'salvia divinorum' in a search engine and you get 10,000 hits, most of which are head shops on the Internet," said Thomas E. Prisinzano, a medical researcher at the University of Iowa. "That's not good. People are going to abuse it."

Experts and users say when the leaves are chewed or smoked, they produce powerful visions that make users believe they're in an alternate place and time. Despite its growing popularity online, law enforcement and health officials, as well as several teenagers and their parents, said salvia is not a common drug in Delaware.

Since 2003, the federal Drug Enforcement Agency has considered *salvia divinorum* a "drug of concern" because of its wide availability, potential for abuse and unknown long-term effects. Louisiana, Missouri and several countries have outlawed it, but congressional attempts to control it in the United States have failed, in part because of a reluctance to infringe on the religious freedoms of American Indians.

"It's dangerous," DEA spokeswoman Rogene Waite said. "Just because it's not a controlled substance, people shouldn't think it's OK to use it."

Dennis and Kathy Chidester, who divorced when Brett was 3, are uncomfortable talking publicly about their son's salvia use and suicide. But, they said, they are more uncomfortable remaining silent and letting other parents learn through tragedy.

"If other states can [regulate] it, why do we have to wait for a nationwide law?" Dennis Chidester said. "States should act on their own."

Delaware should consider outlawing salvia, two state legislators said. Sen. Karen E. Peterson, chairwoman of the Senate Combat Drug Abuse Committee, and Rep. Pamela S. Maier, chairwoman of the House Health and Human Development Committee, had not heard of the herb but said they would look at the laws in Louisiana and Missouri.



COURTESY OF THE CHIDESTER FAMILY

#### SALVIA Q&A

##### Is it legal?

It is not a controlled substance, so it is legal to own, use and distribute *salvia divinorum* in Delaware and most states. Louisiana, Missouri and several countries have outlawed salvia.

##### What are the effects?

The DEA considers *salvia divinorum* a "drug of concern" because its full effects are not known. Researchers said they do not know the long-term effects of using salvia.

##### Is it addictive?

Researchers and users said salvia is not addictive.

##### Who uses it?

Mazatec Indians have chewed *salvia divinorum* for ritual divination and healing for hundreds of years. Westerners discovered it in the 1960s, and its popularity has grown among teenagers and young adults since the 1990s because of availability over the Internet.

##### Does it have other uses?

Medical researchers are interested in the herb's potential to treat pain without addiction and to better understand Alzheimer's, Parkinson's and other diseases that alter a patient's perception of reality.

##### How is it sold?

Web sites and Internet vendors sell *salvia divinorum* as live plants, dried leaves, crushed leaves and a liquid extract.

Legislators in those states banned salvia last year over concerns about teenagers' abuse of it and other hallucinogenic plants.

"It was being marketed to high school kids," said Scott Lipke, a Missouri state representative. "It's not a widespread problem, but we were trying to be out in front on it."

Delaware police said they know little about salvia. "I don't think we'd even know what it is," said Sgt. William Wells, Wilmington police spokesman.

Health officials said it hasn't hit their radar screen, either.

"If it's not an FDA-regulated drug, we couldn't track it any more than we could track someone using ginkgo biloba," said Heidi Truschel-Light, spokeswoman for the Delaware Division of Public Health.

Local merchants who sell glass pipes and other smoking supplies said they don't sell salvia, even though customers ask for it and wholesalers have urged them carry it.

"Kids come in here all the time and ask for it," said Randy Neil, a cashier at Frolic in Newark. "But we don't mess with it. As far as I know, the only place you can get it is the Internet. Probably the reason it's legal now is most people don't know about it."

#### 'Getting deep'

Dennis and Kathy Chidester had never heard of salvia until Brett's cousin told them last summer that she was worried about his salvia use.

About the same time, a friend showed Kathy Chidester Brett's site on MySpace.com, an Internet service where teenagers can chat and share pictures and music. Brett's site contained a video of him and a friend smoking salvia. She confronted him.

"He kept saying, 'Mom, it's legal. It's just an herb. The Indians used to use it to divine knowledge of the universe,'" she remembered. He told them he stopped using salvia, and they believed him.

Still, when Brett was out with friends, his parents would stay up until he came home.

"I thought, if he's doing this stuff or he's drinking, I'm going to know," Kathy Chidester said. "And when he came home, he would be normal, always normal."

Experts said salvia's effects last from a few minutes to an hour or two, with no hangover or other symptoms. Daniel Siebert, a California botanist who sells the herb online and promotes its "responsible" use, described the experience as similar to a vivid

dream. "It's like your mind is on autopilot," Siebert said. "Your brain is generating images that have some kind of narrative line to them. It puts your mind in a very introspective place. It's a way of getting deep inside yourself."

Siebert said crowds and loud music make a salvia-induced trip unpleasant, so it's unlikely people would use it as a "party drug" more than once or twice. He supports some regulations on salvia, such as age restrictions and penalties for driving under the influence of salvia.

"People take their experiences way too literally and read too many things into it," Siebert said. "If you take it literally, you really believe you've traveled to other dimensions and met other beings that told you things. Minors are particularly prone to not understanding that."

That doesn't stop some Internet merchants from billing salvia as a legal, albeit more expensive, alternative to illicit recreational drugs.

The site where Brett Chidester got at least one batch sells it in packages dubbed "mind bender," "mood mix" and "freshman selection." It sells a "party pack" of three different strengths of extract, plus four ounces of leaves, for \$207.90.

#### **Promising medical use**

Salvia does have legitimate research value.

Prisinzano, who earned a bachelor's degree in chemistry from the University of Delaware in 1995, is studying whether salvia's main ingredient, salvinorin A, could be used to create a nonaddictive painkiller. Also, he said, understanding the way salvia creates hallucinations could help scientists better understand Alzheimer's disease and mental illnesses that alter patients' perceptions of reality.

"It's actually become a hot area of research," said Bryan Roth, a leading salvia researcher at Case Western Reserve University in Cleveland. In 2002, he discovered how salvinorin A travels through the brain.

One salvia user described watching a mountain lake turn into a desert, Roth said. Another said she found herself in a room with an alternate future behind each door. She picked one door and saw the death of her child, he said.

"Depending on the dose, it can cause a mild sense of distortion," Roth said. "In the extreme, people are basically shot out into another reality, another place and time."

#### **A changed son**

Dennis and Kathy Chidester think that's what happened to Brett.

About the time Brett began using salvia, he became more melancholy and had trouble sleeping, his parents said. He was sometimes angry for no reason. Because Brett had never displayed typical teenager moodiness, they thought he was just catching up to his peers.

"He definitely changed," Kathy Chidester said. "It wasn't a drastic change. I just figured well, this is the other shoe dropping. This is what teenagers are like and we haven't experienced it."

The week before Brett's suicide, Kathy Chidester called him from Austria, where she was leading an annual ski trip for the Wilmington Ski Club. Brett said he was fine and probably was going to make the Salesianum honor roll again.

The next Saturday night, Jan. 21, Brett went to his girlfriend's homecoming dance. In the few months they had been dating, the relationship had become serious, his parents said. Brett noted in his daily planner that he was going to buy her flowers and take her to dinner for Valentine's Day.

Brett spent much of the weekend writing college application essays, hoping to become an architect. Brett was off work Monday, Jan. 23, from his job in the dining room of Cokesbury Village, an assisted living facility.

He was still sleeping when his father left the house that morning.

"Mom and Dad, don't worry about me," Brett wrote in his suicide note. "Please don't cry. I love you guys so much. I always have. Take a vacation. You deserve it. Please do not be sad. I want you to carry on your lives. Remember me and be happy when you think of me, not sad. Tell yourselves I'm in a better place, because I am. I'm sorry I didn't get to say goodbye before this, but I love you."

*Contact Mike Chalmers at 324-2790 or  
mchalmers@delawareonline.com.*

# FISCAL NOTE

**STATE OF ALASKA**  
**2006 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: SB313-LAW-CJL-4-11-2006  
 ( ) Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: LAW  
 Title: "An Act relating to scheduling Salvia divinorum  
as a controlled substance" RDU: CRIMINAL  
 Sponsor: Senate State Affairs Component: Criminal Justice Litigation  
 Requester: Senate Health, Education, and Social Services Component No: \_\_\_\_\_

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2006) cost: 0.0  
 Mark this box (X) if funding for this bill is included in the Governor's FY 2007 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

This bill amends AS 11.71.150(b) - the statutory list of controlled substances - by adding the plant Salvia Divinorum to it. This plant, which if smoked or ingested in various ways is a hallucinogen, however its existence is not much known in Alaska. As a result, passage of this legislation will not have a fiscal impact on the Department of Law.

Prepared by: Kathryn Daughettee, Director Phone 455-3673  
 Division: Administrative Services Division Date/Time 4/11/06 12:58 PM  
 Approved by: Kathryn Daughettee for David Márquez, Attorney General Date 4/11/2006  
 Agency: Department of Law

24-LS0208L  
Mischel  
4/11/06

**CS FOR SENATE BILL NO. 48( )**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**TWENTY-FOURTH LEGISLATURE - SECOND SESSION**

**BY**

**Offered:**  
**Referred:**

**Sponsor(s): SENATOR DAVIS**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to recommending or refusing psychotropic drugs or certain types of**  
2 **evaluations or treatments for children."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 **\* Section 1. AS 14.30 is amended by adding new sections to read:**

5 **Article 2A. Psychiatric and Behavioral Evaluations and Treatments.**

6 **Sec. 14.30.171. Prohibited actions.** Except as provided in AS 14.30.172 -  
7 14.30.176, school personnel may not, unless otherwise authorized by law,

8 (1) recommend to a parent or guardian that a child take or continue to  
9 take a psychotropic drug as a condition for attending a public school;

10 (2) require that a child take or continue to take a psychotropic drug as a  
11 condition for attending a public school;

12 (3) conduct a psychiatric or behavioral health evaluation of a child;

13 (4) recommend a specific licensed physician, psychologist, or other  
14 health specialist to a parent or guardian for a child;

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- (5) recommend that a parent or guardian seek or use for a child
  - (A) a psychotropic medication; or
  - (B) a psychiatric or psychological treatment; or
- (6) except when refusal of consent causes a child to suffer mental injury or neglect, as defined in AS 47.17.290, make a report of suspected child abuse or neglect to authorities, including the Department of Health and Social Services, based solely on the fact that a parent or guardian refuses to give signed consent for
  - (A) the administration of a psychotropic drug to a child;
  - (B) a psychiatric, psychological, or behavioral treatment of a child; or
  - (C) a psychiatric or behavioral health evaluation of a child.

**Sec. 14.30.172. Communication not prohibited.** (a) Nothing in AS 14.30.171 may be construed to prohibit school personnel from

(1) consulting or sharing classroom-based observations with parents or guardians regarding a student's academic and functional performance, behavior in the classroom or school, or regarding the need for evaluation for special education or related services as long as school personnel do not

(A) make an assertion or recommendation that violates AS 14.30.171; or

(B) denigrate, criticize, punish, or attempt to denigrate, criticize, or punish, a parent, guardian, or child for a decision made by the parent or guardian pertaining to whether the child takes, does not take, or discontinues taking a psychotropic medication; or

(2) exercising their authority relating to the placement within the school or readmission of a child who may be or has been suspended or expelled for a violation of a school disciplinary and safety program adopted under AS 14.33.110 - 14.33.140.

(b) Nothing in AS 14.30.171 may be construed to prevent teachers or other school personnel from complying with the requirements of AS 47.17.020.

**Sec. 14.30.174. Compliance with federal education law.** (a) Notwithstanding AS 14.30.171(3) and (5), a behavioral or mental health professional working within a

1 public school system may, for the sole purpose of complying with federal education  
2 law,

3 (1) recommend, but not require, a psychiatric or behavioral health  
4 evaluation of a child;

5 (2) recommend, but not require, psychiatric, psychological, or  
6 behavioral treatment for a child; and

7 (3) conduct a psychiatric or behavioral health evaluation of a child  
8 with the consent of the child's parent or guardian.

9 (b) In this section,

10 (1) "behavioral health professional" means a person who has a master's  
11 degree in psychology, social work, counseling, or a related field with specialization or  
12 experience in working with children experiencing behavioral, physical, and emotional  
13 disabilities, and is working within the scope of the person's training and experience;  
14 "behavioral health professional" does not include a person employed as a teacher;

15 (2) "federal education law" means 20 U.S.C. 1400 - 1487 (Individuals  
16 with Disabilities Education Act), 20 U.S.C. 7101 - 7143 (Safe and Drug-Free Schools  
17 and Communities Act of 1994), 29 U.S.C. 794 (nondiscrimination under federal grants  
18 and programs), and 42 U.S.C. 12101 - 12213 (equal opportunity for individuals with  
19 disabilities);

20 (3) "mental health professional" has the meaning given in  
21 AS 47.30.915.

22 **Sec. 14.30.176. List of community resources.** Notwithstanding  
23 AS 14.30.171(4), a school district may make available to an interested parent or  
24 guardian a list of community resources, including mental health services if the list  
25 conspicuously states the following: "This list is provided as a resource to you. The  
26 school neither recommends nor requires that you use this list or any of the services  
27 provided by individuals or entities on the list. It is for you to decide what services, if  
28 any, to use and from whom you wish to obtain them."

29 **Sec. 14.30.177. Violations.** (a) A violation of AS 14.30.171 - 14.30.176  
30 constitutes substantial noncompliance with a school law of the state for purposes of  
31 dismissal of a teacher under AS 14.20.170 or nonretention of a teacher under

1 AS 14.20.175.

2 (b) Each school board shall adopt a bylaw under AS 14.14.100 that provides  
3 that violation of AS 14.30.171 - 14.30.176 is grounds for disciplinary action against a  
4 person employed by the school district.

5 **Sec. 14.30.179. Definition.** In AS 14.30.171 - 14.30.179, "public school"  
6 means a school operated by publicly elected or appointed school officials in which the  
7 program and activities are under the control of those officials and that is supported by  
8 public funds.

Jack Degenstein

### **Salvia Divinorum and SB313**

My name is Jack Degenstein and I am representing a community of people in Alaska as well as a larger community throughout the United States who believe that the act of making *S. divinorum* an illegal substance is not warranted. *S. divinorum* is not a threat to Alaskan society, however, this bill, if passed into law, would be a threat to the freedoms of American citizens. In the following I will cover topics concerning misconceptions of *S. divinorum*, who uses *S. divinorum* and why, and problems with the proposed senate bill and what can be done about it.

Many rumors and un-factual media articles have been spreading across the United States in the last few years. These stories lead uninformed people to believe that *S. divinorum* is a dangerous plant. This is reflective of the falsified news articles concerning LSD in the 60's. The fact is that *S. divinorum* is not as dangerous as one might believe. In the last month there has been an explosion of news reports concerning a 17 year old boy who committed suicide. Although it was never determined that Brett Chidester was under the influence of salvinorin A at the time (salvinorin A being the primary active chemical of *S. divinorum*), his mother blamed his death on *S. divinorum*. To consider this correlation as fact is a fallacy. No one has ever been known to kill themselves because of *S. divinorum* and there is insufficient evidence to support this case as an exception.

Some may argue that *S. divinorum* causes depression and that this is what may have caused Brett to take his life. The fact is that it has not been determined if the plant causes depression, however, there is evidence to suggest that it acts as an antidepressant. According to a case report by Hanes, PhD, a 26 year old woman suffering from a severe

case of depression found relief only in a self medicated dose of *S. divinorum*. It was noted that no conventional medicines or therapy were working as her depression level remained constant. When she stumbled upon *S. divinorum* she found that, with a small dosage taken three times a week, it reduced her depression almost completely with a Hamilton Depression Rating score close to zero (Hanes, 2001).

Senator Therriault was quoted in saying that *S. divinorum* is believed to cause schizophrenia. This is absurd. It is not known what causes schizophrenia, although, it is known to be linked to a genetic brain deformity that develops from birth. Symptoms of schizophrenia usually start to emerge toward late adolescence and early adulthood. It is possible that the intensity of the experience of *S. divinorum* could trigger schizophrenia to emerge, however, this is no more likely than any intense emotional or stressful experience. No long term effects are known to be caused by *S. divinorum* and there is no evidence to suggest that it ever would.

The toxicity level of *S. divinorum* is very low or possibly even non-existent. Despite what most people observe from the media, *S. divinorum* should be considered non-toxic. Although the lethal dosage of salvinorin A is not known in humans, it is believed to be extremely high, much higher than any dose that a human would be exposed to normally. With an active dose as low as 200 mcg this allows the body to quickly metabolize the substance.

In a toxicologic experiment mice were chronically exposed to doses of salvinorin A ranging from 400-6400 mcg/kg for two weeks. The results showed that there were no significant histologic changes in the organs of the mice as well as the circulatory mechanisms (Mowry, Mosher, Briner, 2003).

Because of the unique effects that salvinorin A causes the user, it is not common as a party drug. It is not generally sold on the street as most people have either never heard of it or are not interested in the specific effects it gives the user. Some people may be lured into trying it not knowing what it is, but after they have experienced the effects they may never try it again.

When smoked, the primary effects are very short in duration lasting on average from 3-7 minutes. This is followed by the secondary afterglow effects which last from 15-50 minutes after ingestion. At higher doses, the primary effects are intense usually rendering the user incapacitated. The afterglow effects are generally very mild, but the user is very competent at this point and it is obvious to the user that they are in no state to be doing anything that requires physical coordination.

Because of the short duration and the primary effects being, for lack of a better term, strange, most people do not seek out this substance in order to gain a high. People that do, find after their first experience that it isn't what they expected it to be and leave it alone. The people that return to use this substance further do it in a more purposeful manner rather than recreational use.

Along with the atypical effects of *S. divinorum* comes a different demographic of users. In a survey conducted 500 random participants were surveyed about various different topics regarding their personal use of this plant. It was found that the average age of users was 23.4 years old and the average use within a 30 day period was 1.5 times (Baggot, Erowid 2004). This information demonstrates that there is a much wider user base than just youth. With the common usage being about one time a month it shows that this is not a substance that is used over and over for recreation such as other things like

certain age certainly would be quite effective. For example, an age restriction of 21 would eliminate the mass market through the internet to the youth while still preserving the right for persons of the age to purchase the plant through other means.

Another alternative would be to make illegal the sale of extracts and other products that enhance the potency of the plant. This would ban youth from purchasing products that would make ingestion less difficult while still allowing salvia enthusiasts to purchase the live plants and plain leaves for their own needs. This would work similar to federal law that outlaws the extractions of many common, legal plants that contain potent illegal substances.

Since last year, New York has been working on a bill that would make only the sale of *S. divinorum* within the state an illegal act. Even this is much less restrictive than what SB313 seeks to accomplish while still eliminating the chance of young people accidentally stumbling across the plant with no knowledge. Because *S. divinorum* is not a threat in Alaska, there should be no need to adopt such a strict law and these alternatives should be considered beforehand.

As you can see, this bill is overkill for what truly is needed to simply protect youth from using this plant. If passed it would affect many responsible adult citizens denying them the freedom to control their own mind. Please make the right decision and put freedom first while keeping restrictions at a minimum.

**References:**

Baggot, Matthew. Erowid, E & F. "A Survey of Salvia Divinorum Users". 2004, URL:

[http://www.erowid.org/plants/salvia/salvia\\_survey1.shtml](http://www.erowid.org/plants/salvia/salvia_survey1.shtml)

Hanes, Karl R. PhD. "The Antidepressant Effects of the Herb Salvia Divinorum: A Case Report", *Journal Of Clinical Psychopharmacology*: 2001;21:634-635

Mowry, M.; Mosher, M.; Briner, W. "Acute physiologic and chronic histologic changes in rats and mice exposed to the unique hallucinogen salvinin A". *Journal of Psychoactive Drugs*: 2003;35:379-382

## SENATE COMMITTEE REPORT First Committee of Referral

DATE: 4/5/06

FURTHER: Judiciary

Date of 5-Day Notice: \_\_\_\_\_  
(in accordance with Uniform Rule 23)

DATE TURNED  
IN TO OFFICE: 4.12.06

Health, Education and Social Services Committee considered SENATE BILL NO. 313

### SB 313 SALVIA DIVINORUM AS CONTROLLED SUBSTANCE

"An Act relating to scheduling Salvia divinorum as a controlled substance."

and recommends:

- be replaced with \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to \_\_\_\_\_ Committee

**CS Senate Bill:**  
 Same Title  
 New Title

**SCS House Bill:**  
 Same Title  
 Technical Title Change  
 New Title w/ SCR # \_\_\_\_\_

**NEW FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#
LAW	4/11			X	

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	Do PASS	DO NOT PASS	NO REC	AMEND
<i>Gary Wilkin</i>	✓			
<i>K. [Signature]</i>			✓	
<i>Lyla Green</i>	✓			
<i>[Signature]</i>			✓	
CHAIR: <i>[Signature]</i>	✓			



**Health, Education, and Social Services Committee  
Alaska State Senate**

**MEMORANDUM**

To: Senate H.E.S.S. Committee Members  
From: Senator Fred Dyson *Jason for FRED*  
Cc: Senator Gene Therriault  
Date: April 20, 2006  
Re: SB 313

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The Committee recently passed SB 313—*An Act relating to scheduling Salvia divinorum as a controlled substance*. During the hearing, I asked the Department of Health and Social Services to comment on the bill, and I requested that Jack Degenstein provide his written public testimony to the committee for distribution. Both of these documents are attached. Please contact Jason at X3762 if you have additional questions.

# STATE OF ALASKA

FRANK H. MURKOWSKI, GOVERNOR

## DEPT. OF HEALTH AND SOCIAL SERVICES

DIVISION OF BEHAVIORAL HEALTH

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JUNEAU, ALASKA 99811-0620  
PHONE: (907) 465-3370  
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TDD: (907) 465-2225  
TOLL FREE 1-800-465-4828

April 19, 2006

Senator Fred Dyson  
State Capitol, Room 121  
Juneau, Alaska 99811-11182

Dear Senator Dyson,

The Division of Behavioral Health wanted to write a letter expressing our support for SB 313, which classifies *Salvia Divinorum* (or Diviner's Sage) as a controlled substance. In our research of this issue, we have become gravely concerned about this herb for reasons we outline below.

*Salvia Divinorum* is a plant used for its psychoactive effects. It is very difficult to categorize pharmacologically, and experts report unpredictability among users. The fact that so little is known about the effects of *Salvia Divinorum* could pose a danger to users who run the risk of overdosing if they consume too much or if the potency is too great. Furthermore, the medical community has minimal knowledge about this drug, which could result in a lack of proper treatment for an individual who has overdosed.

Law enforcement officials who have come in contact with the drug reported that *Salvia Divinorum* abuse by young people has been extremely high. States that have passed laws banning its use cite their actions were necessary due to the high rates of abuse by adolescents and concerns that the herb poses a threat to the health, safety, and welfare of its residents.

*Salvia Divinorum* was outlawed in Missouri in the Fall of 2005. New York is considering a bill that would place heavy civil penalties on sales of the plant, and Illinois is also considering adopting regulations to that affect. The Delaware State Legislature (because of a recent teen suicide related to this drug) is rapidly moving to pass legislation that would make the drug illegal there.

Individuals and especially young people who are influenced by the promotion of the drug on Internet sites are at greatest risk of unintended harm due to experimentation. Based on research and credible reports from legislative bodies and law enforcement, it is obvious that the regulation of *Salvia Divinorum* is a prudent outcome for Alaska.

Please do not hesitate to contact our office, if I or my staff can be of any assistance in this effort.

Sincerely,



Stacy B. Toner  
Acting Deputy Director

Jack Degenstein

### **Salvia Divinorum and SB313**

My name is Jack Degenstein and I am representing a community of people in Alaska as well as a larger community throughout the United States who believe that the act of making *S. divinorum* an illegal substance is not warranted. *S. divinorum* is not a threat to Alaskan society, however, this bill, if passed into law, would be a threat to the freedoms of American citizens. In the following I will cover topics concerning misconceptions of *S. divinorum*, who uses *S. divinorum* and why, and problems with the proposed senate bill and what can be done about it.

Many rumors and un-factual media articles have been spreading across the United States in the last few years. These stories lead uninformed people to believe that *S. divinorum* is a dangerous plant. This is reflective of the falsified news articles concerning LSD in the 60's. The fact is that *S. divinorum* is not as dangerous as one might believe. In the last month there has been an explosion of news reports concerning a 17 year old boy who committed suicide. Although it was never determined that Brett Chidester was under the influence of salvinorin A at the time (salvinorin A being the primary active chemical of *S. divinorum*), his mother blamed his death on *S. divinorum*. To consider this correlation as fact is a fallacy. No one has ever been known to kill themselves because of *S. divinorum* and there is insufficient evidence to support this case as an exception.

Some may argue that *S. divinorum* causes depression and that this is what may have caused Brett to take his life. The fact is that it has not been determined if the plant causes depression, however, there is evidence to suggest that it acts as an antidepressant. According to a case report by Hanes, PhD, a 26 year old woman suffering from a severe

case of depression found relief only in a self medicated dose of *S. divinorum*. It was noted that no conventional medicines or therapy were working as her depression level remained constant. When she stumbled upon *S. divinorum* she found that, with a small dosage taken three times a week, it reduced her depression almost completely with a Hamilton Depression Rating score close to zero (Hanes, 2001).

Senator Therriault was quoted in saying that *S. divinorum* is believed to cause schizophrenia. This is absurd. It is not known what causes schizophrenia, although, it is known to be linked to a genetic brain deformity that develops from birth. Symptoms of schizophrenia usually start to emerge toward late adolescence and early adulthood. It is possible that the intensity of the experience of *S. divinorum* could trigger schizophrenia to emerge, however, this is no more likely than any intense emotional or stressful experience. No long term effects are known to be caused by *S. divinorum* and there is no evidence to suggest that it ever would.

The toxicity level of *S. divinorum* is very low or possibly even non-existent. Despite what most people observe from the media, *S. divinorum* should be considered non-toxic. Although the lethal dosage of salvinorin A is not known in humans, it is believed to be extremely high, much higher than any dose that a human would be exposed to normally. With an active dose as low as 200 mcg this allows the body to quickly metabolize the substance.

In a toxicologic experiment mice were chronically exposed to doses of salvinorin A ranging from 400-6400 mcg/kg for two weeks. The results showed that there were no significant histologic changes in the organs of the mice as well as the circulatory mechanisms (Mowry, Mosher, Briner, 2003).

Because of the unique effects that salvinorin A causes the user, it is not common as a party drug. It is not generally sold on the street as most people have either never heard of it or are not interested in the specific effects it gives the user. Some people may be lured into trying it not knowing what it is, but after they have experienced the effects they may never try it again.

When smoked, the primary effects are very short in duration lasting on average from 3-7 minutes. This is followed by the secondary afterglow effects which last from 15-50 minutes after ingestion. At higher doses, the primary effects are intense usually rendering the user incapacitated. The afterglow effects are generally very mild, but the user is very competent at this point and it is obvious to the user that they are in no state to be doing anything that requires physical coordination.

Because of the short duration and the primary effects being, for lack of a better term, strange, most people do not seek out this substance in order to gain a high. People that do, find after their first experience that it isn't what they expected it to be and leave it alone. The people that return to use this substance further do it in a more purposeful manner rather than recreational use.

Along with the atypical effects of *S. divinorum* comes a different demographic of users. In a survey conducted 500 random participants were surveyed about various different topics regarding their personal use of this plant. It was found that the average age of users was 23.4 years old and the average use within a 30 day period was 1.5 times (Baggot, Erowid 2004). This information demonstrates that there is a much wider user base than just youth. With the common usage being about one time a month it shows that this is not a substance that is used over and over for recreation such as other things like

certain age certainly would be quite effective. For example, an age restriction of 21 would eliminate the mass market through the internet to the youth while still preserving the right for persons of the age to purchase the plant through other means.

Another alternative would be to make illegal the sale of extracts and other products that enhance the potency of the plant. This would ban youth from purchasing products that would make ingestion less difficult while still allowing salvia enthusiasts to purchase the live plants and plain leaves for their own needs. This would work similar to federal law that outlaws the extractions of many common, legal plants that contain potent illegal substances.

Since last year, New York has been working on a bill that would make only the sale of *S. divinorum* within the state an illegal act. Even this is much less restrictive than what SB313 seeks to accomplish while still eliminating the chance of young people accidentally stumbling across the plant with no knowledge. Because *S. divinorum* is not a threat in Alaska, there should be no need to adopt such a strict law and these alternatives should be considered beforehand.

As you can see, this bill is overkill for what truly is needed to simply protect youth from using this plant. If passed it would affect many responsible adult citizens denying them the freedom to control their own mind. Please make the right decision and put freedom first while keeping restrictions at a minimum.

**References:**

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[http://www.erowid.org/plants/salvia/salvia\\_survey1.shtml](http://www.erowid.org/plants/salvia/salvia_survey1.shtml)

Hanes, Karl R. PhD. "The Antidepressant Effects of the Herb Salvia Divinorum: A Case Report", *Journal Of Clinical Psychopharmacology*: 2001;21:634-635

Mowry, M.; Mosher, M.; Briner, W. "Acute physiologic and chronic histologic changes in rats and mice exposed to the unique hallucinogen salvinorin A". *Journal of Psychoactive Drugs*: 2003;35:379-382

**SCR**

**28**



## SENATOR FRED DYSON

### SPONSOR STATEMENT

#### SCR 28 "*Innovative application of Education Technology*"

SCR 28 is intended to raise awareness of new educational tools that are causing renewed excitement and hope for public K-12 education. Children come to school excited and eager to learn and it is a colossal challenge for teachers to maintain that excitement with fresh things for each child to discover and accomplish; especially in competition with television and the internet. I believe these new tools can empower teachers, parents, and school management to make a positive difference.

New education technology tools allow each student's education information to be accessed by any authorized student, teacher, parent, or administrator from any computer on the internet, 24-7. Individual learning plans (ILPs), portfolios, curriculum, aligned standards, attendance, lesson plans, assignments, virtual "face to face" interactions, assessment tools, and all student records, assessments, student history, challenges, strengths, and special interests can now be at any teacher's fingertips for their students.

An unprecedented scope of information is available on the internet and the tools to manage student access to that information are rapidly coming into place. Never before has there been such an array of exciting teaching tools that can be managed for the benefit of each individual student. SCR 28 brings this news to the table.

SCR 28 collects the factors that are related to innovative application of educational technology in a list of "Whereas" statements, then expresses legislative intent that we work together to find ways to employ these improvements in our Alaska education system.

Updated March 7, 2006

24-LS1849F  
Mischel  
4/17/06

**CS FOR SENATE CONCURRENT RESOLUTION NO. 28( )**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**TWENTY-FOURTH LEGISLATURE - SECOND SESSION**

**BY**

**Offered:**  
**Referred:**

**Sponsor(s): SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE**

**A RESOLUTION**

1 **Relating to the innovative application of education technology tools to provide improved**  
2 **distance education programs in the state.**

3 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 **WHEREAS** education technology is rapidly developing to provide managed student  
5 access to unprecedented arrays of information on the Internet, including curricula, resource  
6 and reference materials, search engines, world news, communication, calculations, tables,  
7 definitions, and all student records; and

8 **WHEREAS** education technology is rapidly developing to economically provide  
9 powerful teaching tools that are capable of generating individualized student learning plans,  
10 supplemental and tutorial services, evaluations, communications, assignments, and learning  
11 problem diagnostics that can be available on the Internet at any time, from any place in the  
12 world, from any computer; and

13 **WHEREAS** education excellence is attainable by using a curriculum that encourages  
14 student discovery, innovation, and proficiency as ways to avoid merely teaching to the test  
15 and to prevent student boredom and teacher burnout;

16 **WHEREAS**, according to a 2003 United States Bureau of the Census report, the state

1 leads the nation at 68.5 percent of our households connected to the Internet; and

2       **WHEREAS** the federal, state, and local contributions averaged \$10,114 for each  
3 student enrolled in the state during the 2003-2004 school year; and

4       **WHEREAS** the state has the highest median cost for each student in the nation at  
5 \$16,665, reflecting the high cost of education in rural Alaska; and

6       **WHEREAS** 37 percent of Alaska schools have less than 100 students, and 24 percent  
7 have less than 50 students, with many of the schools located in remote, rural settings; and

8       **WHEREAS** the results of the 2003 National Assessment of Education Progress,  
9 which is the state's only national and ongoing assessment of student reading and mathematics  
10 performance, reveals that performance is only at about 30 percent proficiency, which is at, or  
11 below, the national average; and

12       **WHEREAS** increasing demands have been placed on rural education programs in the  
13 state by the federal No Child Left Behind Act, including employment of highly qualified  
14 teachers, provision of supplemental services, and the requirement to restructure districts and  
15 to offer parental choice options; and

16       **WHEREAS** rural education challenges in the state include

17               (1) high teacher turnover rates;

18               (2) high costs of teacher housing;

19               (3) cultural differences between teachers and rural communities;

20               (4) the need to group a small number of students in small schools into 13  
21 grade, ability, and interest levels;

22               (5) the difficulty of meeting the needs of isolated students with special needs  
23 and gifts; and

24               (6) the difficulty of providing special interest curriculum such as Native  
25 language education; and

26       **WHEREAS** public school facilities, employment needs, and related economic  
27 considerations are valued critical components of rural Alaska communities; and

28       **WHEREAS** the Alaska Department of Education and Early Development has  
29 continued to improve statewide assessment tools in response to legislative intent that provides  
30 an increasingly reliable measure of K-12 proficiency;

31       **BE IT RESOLVED** that the Alaska State Legislature encourages the innovative and

1 responsible application of education technology tools to improve distance education programs  
2 that will enhance rural education in the state; and be it

3 **FURTHER RESOLVED** that the Alaska State Legislature encourages local school  
4 boards and administrators to look for ways to regroup rural students, especially those in small  
5 schools, into virtual education: program groups selected for efficiency, skill and age level,  
6 and student and parent interest and to use educational technology to provide quality teachers  
7 for these groups from a distance; and be it

8 **FURTHER RESOLVED** that the Alaska State Legislature encourages local school  
9 boards and administrators to provide the restructuring, choice, and supplemental services  
10 required for schools failing to achieve Annual Yearly Progress under the federal No Child  
11 Left Behind Act and state law, and to improve student proficiency as measured by the  
12 National Assessment of Education Progress; and be it

13 **FURTHER RESOLVED** that the Alaska State Legislature encourages reallocation of  
14 savings available from the efficiencies of scale from regrouping of students across rural  
15 boundaries to help pay for the application of educational technology while ensuring that rural  
16 remote school facilities and local employees are retained in the process; and be it

17 **FURTHER RESOLVED** that the Alaska State Legislature requests local school  
18 boards and administrators to apply for the grants available under AS 14.14.115 as a means of  
19 installing education technology; and be it

20 **FURTHER RESOLVED** that the Alaska State Legislature requests superintendents  
21 of public school districts to distribute copies of this resolution to each member of the district's  
22 school board.

23 **COPIES** of this resolution shall be sent to Al Weinberg, Superintendent, Alaska  
24 Gateway School District; Joe Beckford, Chief School Administrator, Aleutian Region School  
25 District; Dennis Maasjo, Superintendent, Aleutians East Borough School District; Carol  
26 Comeau, Superintendent, Anchorage School District; Brett Agenbroad, Superintendent,  
27 Annette Island School District; John Davis, Superintendent, Bering Strait School District;  
28 Richard Hebbardt, Superintendent, Bristol Bay Borough School District; Vance Cortez-  
29 Rucker, Superintendent, Chatham School District; Bob Crumley, Superintendent, Chugach  
30 School District; James Elliot, Superintendent, Copper River School District; Don Clark,  
31 Superintendent, Cordova City School District; Ron Erickson, Superintendent, Craig City

1 School District; Dan Beck, Superintendent, Delta/Greely School District; Dale Olson,  
2 Superintendent, Denali Borough School District; Arnold Watland, Superintendent,  
3 Dillingham City School District; Ann E. Shortt, Superintendent, Fairbanks School District;  
4 Jim Smith, Superintendent, Galena City School District; Woody Wilson, Superintendent,  
5 Haines Borough School District; Howard Diamond, Superintendent, Hoonah City School  
6 District; Bill Raduenz, Superintendent, Hydaburg City School District; Joe Banghart,  
7 Superintendent, Iditarod Area School District; Peggy Cowan, Superintendent, Juneau  
8 Borough School District; Eric Gebhart, Superintendent, Kake City School District; Gary  
9 Stevens, Superintendent, Kashunamiut School District; Donna Peterson, Superintendent,  
10 Kenai Peninsula Borough School District; Harry Martin, Superintendent, Ketchikan Gateway  
11 Borough School District; Richard Carlson, Superintendent, Klawock City School District;  
12 Betty Walters, Superintendent, Kodiak Island Borough School District; Marty Laster,  
13 Superintendent, Kuspuk School District; Steve Atwater, Chief School Administrator, Lake  
14 and Peninsula School District; William Ferguson, Superintendent, Lower Kuskokwim School  
15 District; John Lamont, Superintendent, Lower Yukon School District; and the Honorable Ted  
16 Stevens and the Honorable Lisa Murkowski, U.S. Senators, and the Honorable Don Young,  
17 U.S. Representative, members of the Alaska delegation in Congress.

## Consequences of Not Meeting Adequate Yearly Progress

Updated for 2004-2005 School Year

### For Schools Receiving Title I, Part A Funds

<b>Level 1</b>	<b>Alert:</b> Prepare and implement a school plan, consult with district and Department to receive technical assistance to meet AYP in next year.
<b>Level 2</b>	<b>School Improvement Status Year 1:</b> Develop a school improvement plan. After district review and approval, implement plan. District sends plan to the Department. Provide school choice, if choice is available, or supplemental educational services (SES) and inform parents of designation and choice (or SES) options as appropriate.
<b>Level 3</b>	<b>School Improvement Status Year 2:</b> Continue to implement school improvement plan (revised as necessary), continue to provide choice, offer supplemental services if not already provided due to limited choice, and inform parents.
<b>Level 4</b>	<b>Corrective Actions:</b> Continue school improvement plan, choice, SES, and inform parents. In addition, district must take one of the following actions: replacement of staff, implementation of a new curriculum, decrease management authority at school level, appoint an outside expert, extend the school day or year, restructure the internal organization of the school. (4 AAC 06.865, NCLB 1116(b)(7))
<b>Level 5</b>	<b>Reconstruction: Year 1 -</b> Continue school improvement plan, choice and SES, and inform parents. District required to prepare a restructuring plan for alternative governance using one of the following actions: reopen as a charter school, replace all or most of the staff, enter into a contract with a management company, turn over operation of the school to the state, or any other major restructuring of a school's governance arrangement consistent with section 1116 of NCLB. <b>Reconstruction: Year 2 -</b> Implement restructuring plan for alternative governance. Continue to implement school improvement plan, continue to provide school choice and supplemental services, inform parents. (4 AAC 06.870, NCLB 1116(b)(8))

### For Schools Not Receiving Title I, Part A Funds

<b>Level 1</b>	<b>Alert:</b> Prepare and implement a school plan, consult with district and Department to receive technical assistance to meet AYP in next year.
<b>Level 2 &amp; above</b>	<b>School Improvement:</b> School shall develop, issue and implement a school plan, and notify parents.

### For Districts Receiving Title I, Part A Funds

<b>Level 1</b>	<b>Alert:</b> Consult with the Department regarding reasons for not meeting AYP.
<b>Level 2 &amp; above</b>	<b>District Improvement:</b> District shall develop, issue and implement a district improvement plan, submit the plan to the Department, request technical assistance from the Department, and provide notice to parents. State may take corrective action at Level 3 or above. (4 AAC 06.840(h) and 06.850, NCLB 1116(c))

### Financial Consequences

<b>District</b>	Set-aside 20% (or amount equal to) of district's Title IA allocation to provide choice/SES if any Title I school is in Level 2 or above
<b>District</b>	Set-aside 10% of district's Title IA allocation to provide professional development if district is identified at Level 2 or above and receives IA funds (may include 10% school-level set-asides).
<b>School</b>	Spend 10% of school's Title IA allocation for professional development if school is in Level 2 or above.

# Please don't call a school a "failure" if it isn't.

The adequate yearly progress (AYP) provisions of the No Child Left Behind Act are complex – to say the least.

AYP measures how much improvement a school is making toward meeting state academic standards for all student subgroups. Some schools meet or exceed their AYP targets. Some schools fall far short. And some come close.

Of course, some schools *are* failures. They're the ones that persistently fail to make any sort of progress at all, year after year. But most schools don't fall into that category, and don't deserve to be painted with the same brush.

So what words would we suggest for describing schools that don't make AYP?

*in need of improvement*  
**The state said P.S. 101 is a failing school.**

*In a memo issued by local area education... a grade of "failing" was given to PS 101*

The problem is that people sometimes lump together all the schools that don't make AYP – the ones that miss it by a lot and the ones that miss it by a little – and call all of them "failures."

That's just unfair, and doesn't give the public a truly accurate picture about what's going on in our schools. Worst of all, mislabeling a school a "failure" can demoralize students, teachers, parents, and the community. None of us wants that.

Think of it this way: If two people go on a diet and set out to lose 10 pounds, is it fair to say they've both "failed" if one lost 9-1/2 pounds while the other didn't lose an ounce?

The federal government suggests "in need of improvement" to describe schools that do not make AYP for two years. Many states are developing their own language to differentiate among schools that show different levels of progress toward making AYP.

We realize that reporters sometimes use the word "failing" to describe schools because education officials themselves use it. The fact is that we all need to be as accurate as we can.

We know you're a stickler for accuracy. And we know you want to be fair to kids and teachers. So if a school is a failure, call it a failure. But please don't call a school a failure if it isn't.

## The distinction is important.



[www.brt.org](http://www.brt.org)

The Business Roundtable is an association of chief executive officers of leading corporations committed to advocating public policies that foster vigorous economic growth and a dynamic global economy.

"Revenues and Expenditures by Public School Districts: School Year 2002-03" published by DOE in November 2005. NAEP 8th-grade reading and math scores published by U.S. DOE in October 2005.

State	Median Per Pupil Spending	Percentage of 8th-Graders at Proficiency or Better in Reading	Percentage of 8th-Graders at Proficiency or Better in Math
Alaska	\$16,665	27%	29%
DC	\$16,344	12%	7%
New York	\$13,989	33%	31%
New Jersey	\$12,419	37%	36%
Wyoming	\$12,116	35%	29%
Delaware	\$10,874	31%	30%
Connecticut	\$10,765	34%	35%
New Mexico	\$10,602	19%	14%
Rhode Island	\$10,189	29%	23%
Massachusetts	\$9,952	44%	43%
Wisconsin	\$9,805	34%	36%
Maine	\$9,787	38%	30%
New Hampshire	\$9,731	38%	35%
Vermont	\$9,614	37%	38%
Maryland	\$9,298	30%	30%
Pennsylvania	\$9,298	36%	31%
Minnesota	\$9,133	37%	43%
Colorado	\$8,948	31%	32%
Montana	\$8,927	37%	36%
West Virginia	\$8,845	22%	17%
Texas	\$8,826	26%	31%
Nebraska	\$8,714	35%	35%
Indiana	\$8,673	28%	30%
Michigan	\$8,651	28%	30%
Hawaii	\$8,632	18%	18%
Kansas	\$8,620	34%	34%
Oregon	\$8,577	33%	33%
North Dakota	\$8,552	37%	35%
Illinois	\$8,465	31%	28%
Nevada	\$8,458	22%	21%
Washington	\$8,454	34%	36%
Georgia	\$8,393	24%	23%
California	\$8,262	21%	22%
South Carolina	\$8,226	25%	30%
Ohio	\$8,208	24%	34%
Virginia	\$8,087	35%	33%
South Dakota	\$8,001	35%	36%
Iowa	\$7,789	34%	34%
Florida	\$7,571	25%	26%
Idaho	\$7,554	32%	30%
North Carolina	\$7,469	27%	32%
Missouri	\$7,462	31%	26%
Louisiana	\$7,443	20%	16%
Alabama	\$6,942	22%	15%
Kentucky	\$6,934	31%	22%
Arizona	\$6,933	23%	26%
Utah	\$6,859	29%	30%
Oklahoma	\$6,817	25%	20%
Arkansas	\$6,774	26%	22%
Tennessee	\$6,460	26%	21%
Mississippi	\$6,387	19%	13%

**The Department of Education & Early Development  
K-12 Public School Operating Fund and Selected Special Revenue Funds  
Audited FY05 Revenues  
(Alphabetical)**

Type	School District	ADM	School District Revenue by Source					Revenue Source per Student (ADM)							
			Operating Fund				Special Revenue	Total	Operating Fund				Special Revenue	Grand Total	
			Local	State	Federal	Other			Local	State	Federal	Other			
REAA	Alaska Gateway	443		9,018,543	418,693	262,018	1,934,273	7,231,724	11,728	941	591	3,483	16,374		
REAA	Alutian Region	46		1,078,870	240,013	35,238	112,857	1,468,078	23,478	5,218	766	2,453	31,915		
C/B	Ashtabula East	269	1,123,536	1,437,975	1,225,553	988,416	591,256	7,270,017	4,166	12,761	4,798	3,377	1,653	27,026	
C/B	Anchorage	49,182	193,419,777	227,894,776	14,763,863	4,673,685	47,607,019	426,262,678	2,713	4,626	501	95	672	6,708	
REAA	Arnette Island	298		1,317,720	3,578,141	217,318	643,400	5,754,585	4,422	12,000	729	2,159	19,311		
REAA	Bering Sea	1,869		16,637,273	11,124,669	3,982,015	4,974,366	36,128,643	8,792	6,548	1,995	2,928	21,265		
C/B	British Bay	184	821,979	1,154,934	448,148	56,437	261,763	2,623,661	5,009	6,277	2,441	198	1,423	15,347	
REAA	Chatham	185		2,032,365	713,734	222,071	1,018,841	3,985,011	10,422	3,660	1,139	5,215	20,436		
REAA	Chukach	219		1,810,930	138,425	287,087	1,759,073	4,121,585	8,226	6,019	1,311	8,174	18,729		
REAA	Copper River	640		6,973,056	415,797	114,727	524,450	7,328,030	9,333	650	170	1,319	11,451		
C/B	Cordova	452	1,388,000	3,074,465	42,110	38,672	364,006	4,885,253	3,022	6,802	83	86	805	10,808	
C/B	Craig	657	871,761	3,670,510	527,716	234,631	1,375,924	6,635,482	1,479	5,587	798	448	2,023	10,424	
REAA	Delta-Gracely	1,188		7,968,289	78,314	162,031	2,062,549	10,269,163	6,707	64	136	1,758	8,244		
C/B	Denali	864	1,250,000	4,468,673	12,301	127,280	6,475,844	6,183,960	1,883	6,731	19	182	928	9,752	
C/B	Dillingham	532	1,600,000	4,161,460	620,782	243,701	1,406,673	7,058,654	1,880	7,622	1,559	458	2,633	14,362	
C/B	Fairbanks	14,654	38,545,700	74,502,167	14,367,688	720,817	16,038,470	142,173,933	5,118	987	50	1,102	9,769		
C/B	Galena	3,680	458,172	16,407,918	254,517	1,340,286	3,919,303	22,031,196	125	4,459	69	378	956	5,987	
C/B	Hamns	267	1,383,044	1,738,634	1,078	54,363	588,648	3,744,766	4,889	5,814	4	183	2,019	12,609	
C/B	Hoonah	172	525,400	1,455,083	507,321	129,629	1,426,341	4,024,874	2,938	8,405	2,850	754	8,294	23,401	
C/B	Hydaburg	74	65,000	744,914	386,595	64,890	181,111	1,441,710	878	10,088	5,224	886	2,447	19,483	
REAA	Interior Area	345		4,267,000	734,191	262,130	1,128,013	6,599,334	12,426	2,128	1,050	3,264	16,659		
C/B	Juneau	5,506	18,835,000	24,145,978	37,676	215,735	6,669,953	49,804,342	3,550	4,561	7	41	1,267	9,405	
C/B	Kake	142	280,000	1,222,888	607,048	66,812	200,048	2,385,794	1,972	8,612	4,275	471	1,472	16,801	
REAA	Ketchikan	355		2,527,437	2,054,583	172,218	1,800,588	6,355,124	7,120	5,786	488	4,509	17,902		
C/B	Kent Peninsula	9,527	33,744,607	46,467,673	212,193	981,400	6,990,000	88,385,963	3,542	4,877	22	100	734	9,275	
C/B	Ketchikan Gateway	2,308	7,637,206	11,530,586	31,201	63,208	2,263,397	21,525,598	3,312	5,000	14	27	982	9,336	
C/B	Kenai	160	297,009	1,321,041	598,286	60,921	316,028	2,593,325	1,856	8,257	3,739	381	1,975	16,228	
C/B	Kodiak Island	2,879	8,332,440	16,647,513	1,703,648	715,669	3,180,125	30,579,925	3,110	6,214	635	267	1,187	11,415	
REAA	Kupuk	414		4,600,997	1,889,824	446,383	2,070,961	9,007,765	11,113	4,565	1,078	5,002	21,758		
C/B	Lake & Peninsula	398	869,253	6,203,712	1,862,257	875,991	1,574,056	11,365,289	2,178	15,544	4,667	2,195	3,045	28,535	
REAA	Lower Kuskokwim	3,832		36,826,869	15,911,300	2,908,184	10,721,687	69,368,040	10,132	4,152	759	2,798	17,841		
REAA	Lower Yukon	2,017		18,045,372	10,136,342	1,447,571	4,613,974	34,243,259	8,947	5,025	718	2,288	16,977		
C/B	Mat-Su	14,661	33,928,357	81,777,454	168,778	406,683	11,813,350	126,096,822	2,314	5,578	12	806	6,732		
C/B	Nenana	716	73,183	4,233,864		420,424	2,588,130	7,295,641	102	5,913		587	3,587	10,189	
C/B	Nome	787	1,420,577	6,055,512	121,029	222,883	1,363,404	9,183,405	1,852	7,895	158	261	1,778	11,973	
C/B	North Star	1,691	23,555,878	9,216,288	6,182,313	378,240	6,887,587	46,220,310	13,930	5,450	3,658	224	4,073	27,333	
C/B	Northwest Archc	1,999	3,215,493	21,037,729	6,419,660	2,081,734	6,748,241	41,502,857	1,609	10,524	4,212	1,041	3,376	20,762	
C/B	Peleean	11	52,121	409,151	2,000	11,412	85,478	560,162	4,738	37,196	182	1,037	7,771	50,924	
C/B	Petersburg	830	1,655,409	3,894,438	7,148	68,119	455,455	6,043,639	2,029	8,162	11	108	728	9,657	
REAA	Prudof	127		1,208,403	733,511	100,853	1,391,606	3,462,673	9,499	5,778	794	10,721	26,793		
C/B	Saint Mary's	155	20,689	1,861,327	1,508	55,880	490,457	2,429,861	133	12,009	10	361	3,164	15,677	
C/B	Sitka	1,478	4,787,292	7,486,601	583,022	81,493	2,122,938	15,015,346	3,239	5,048	381	55	1,436	10,159	
C/B	Sitka Gateway	109	841,452	839,911	2,000	10,477	505,274	2,199,114	7,720	7,708	18	96	4,636	20,175	
REAA	Southeast Island	212		3,082,833	300,109	272,746	612,137	4,267,825	14,542	1,416	1,237	2,887	20,131		
REAA	Southeast Region	706		6,768,831	3,288,829	1,485,775	3,565,587	15,022,822	9,587	4,627	2,104	5,050	21,369		
C/B	Tenana	115	22,862	1,084,985	60,699	80,140	146,143	1,394,639	197	9,434	528	697	1,271	12,127	
C/B	Unalaska	399	2,200,801	2,461,966	22,179	49,619	623,049	5,437,644	5,716	6,170	56	124	1,562	13,628	
C/B	Vadiz	828	4,948,342	4,057,467	25,579	91,770	506,093	9,630,251	5,977	4,620	31	111	811	11,631	
C/B	Wrangell	376	891,007	2,291,279	454,969	61,481	605,848	4,304,584	2,378	6,110	1,213	164	1,616	11,478	
C/B	Yakutat	133	416,000	1,124,400	265,705	44,170	315,478	2,185,753	3,128	8,454	1,908	332	2,372	16,284	
REAA	Yukon Flats	278		4,510,652	1,438,460	278,881	900,092	7,128,285	16,344	5,212	1,010	3,261	25,827		
REAA	Yukon/Koyukuk	1,800		9,980,595	524,120	272,177	2,572,804	14,379,690	5,545	723	291	1,429	7,989		
REAA	Yupik	445		4,341,717	2,463,250	436,199	2,808,028	10,047,194	9,757	5,535	680	8,305	22,578		
<b>Statewide Totals</b>			<b>130,560</b>	<b>\$ 327,100,192</b>	<b>\$ 737,864,327</b>	<b>\$ 111,788,470</b>	<b>\$ 28,826,238</b>	<b>\$ 175,488,498</b>	<b>\$ 1,381,011,664</b>	<b>2,805</b>	<b>5,682</b>	<b>856</b>	<b>221</b>	<b>1,344</b>	<b>10,878</b>

This report is provided in accordance with Alaska Statute 14.03.120(b)

**Definitions:**

**C/B** City or Borough School District (organized Alaska)

**REAA** Regional Educational Attendance Area (unorganized Alaska)

**ADM** Average daily student count taken during the month of October

**Local** FY05 City/Borough Appropriations, including in-kind, as reported in audits

**State** FY05 State Operating Fund Revenue as reported in audits

**Federal** FY05 Federal revenues reported in the Operating fund (Impact Aid & other minor federal revenues)

**Other** FY05 Earnings on Investments, E-rate and Other Local Revenue as listed in Audits

**Special** All sources of revenues (Local, State, Federal, Other) in Special Revenue funds except Pupil Transportation, Food Service and Community Schools

**NOTE:** This spreadsheet does not include Capital Project grants or Debt Service; this spreadsheet may be different from the department's annual reports to National Center for Education Statistics (NCES).

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Education Technology



# Alaska Education Demographics

- 130,560 students, 53 districts, ~500 schools
- 37 (70%) districts have less than 1000 students
- 19 districts in unorganized areas (36%)
- \$10,578 per student ('05 excludes Capitol exp.)
- Pupil to teacher ratio: 17:1
- Pupil to staff ratio: 8:1
- Average teacher salary: over \$50,000
- Approx. 8,000 students in Correspondence Programs