



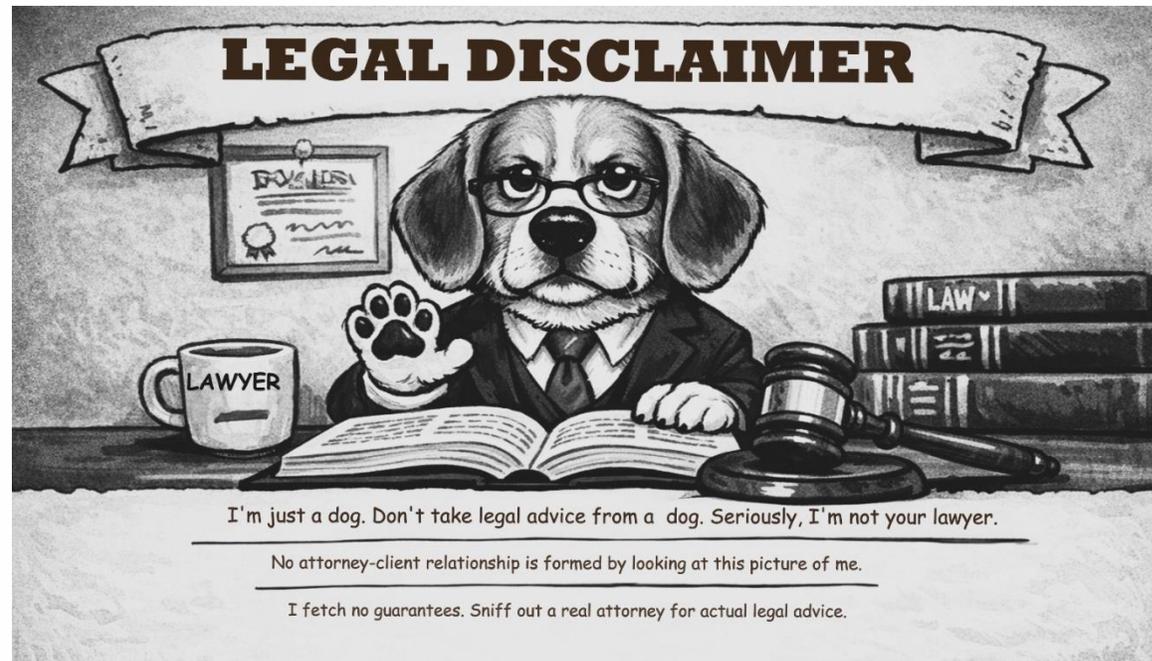
Developing Tribal Laws on Kratom

American Indian Health Commission

3-10-26



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What is Kratom 7-OH?

According to the Food and Drug Administration (FDA), 7-OH, a naturally occurring substance in the kratom plant, produces:

- respiratory depression;
- physical dependence; and
- withdrawal symptoms characteristic of classical opioids, such as morphine, fentanyl, oxycodone, and hydrocodone



Source:
<https://health.mo.gov/safety/foodsafety/kratom/>

See [7-Hydroxymitragynin \(7-OH\): An Assessment of the Scientific Data and Toxicological Concerns Around an Emerging Opioid Threat](#)



Stateline

HEALTH CARE DEMOCRACY ECONOMY ENVIRONMENT SOCIETY CRIMINAL JUSTICE

CRIMINAL JUSTICE HEALTH HEALTH CARE JUSTICE SOCIAL ISSUES SOCIETY

Kratom faces increasing scrutiny from states and the feds

At least 7 states have considered bills to tighten regulations of the herbal supplement this year.

BY AMANDA WATFORD - AUGUST 11, 2023 5:00 AM



Photo by Amanda Hernández/Stateline

Kratom containing products are not regulated by the FDA and may be present in a product without consumer awareness





Kratom Statistics

- From 2015 to 2018, exposures to Kratom rose from 330 to 1400 per year
- Exposures increased drastically starting in April 2025 and reached 1800 as of early August 2025
- In 2025, approximately one-third of kratom calls to WAPC have been about 7-OH extracts

See Washington Poison Center, "[Kratom and 7-Hydroxymitragynine Poisoning](#)"



Impact to Tribes and AI/AN Communities

Recent increased presence of kratom and the potent opioid 7- hydroxymitragynine (7-OH) sold in many gas stations and other stores pose a significant threat to the health and welfare of community members, especially youth.



See Washington Poison Center, "[Kratom and 7-Hydroxymitragynine Poisoning](#)"



What Some Governments Are doing

- Several Tribes, states, and cities have already adopted laws restricting the sale of Kratom.
- WA State bill [HB 2291](#) attempted to restrict sale of kratom but did not pass

See "[Kratom: Summary of State Laws](#)," published by the Legislative Analysis and Public Policy Association.



by Mara Silvers and Nora Mable
09.23.2025

PUBLIC HEALTH

Blackfoot Tribal Council bans kratom sales, use on reservation

Tribal officials say the move, an apparent first among tribal governments in Montana, is intended to prevent potential addiction to products that can have opioid-like effects.



A sign for the Blackfoot Nation in Browning, Montana, on Tuesday, May 20, 2025. Credit: John Stember / MTFP

Source: Montana Free Press

<https://montanafreepress.org/2025/09/23/blackfoot-tribal-council-bans-kratom-on-reservation/>



AIHC Template Kratom Resolution

RESOLUTION BANNING SALE OF KRATOM AND 7-OH PRODUCTS TO INDIVIDUALS UNDER THE AGE OF 21

RESOLUTION NO. _____

THE
_____ TRIBE)
)
)

WHEREAS, the _____ Tribe entered into the _____ with the United States of America on _____, reserving sovereign and aboriginal rights in perpetuity; and

WHEREAS, Article __, § __ of the Tribal Constitution provides the Tribal Council is empowered to promote and protect the health and welfare of the members of the Tribe; and

WHEREAS, the recent increased presence of kratom and the potent opioid 7-~~hydroxymitragyline~~ (7-OH) sold in many gas stations and other stores pose a significant threat to the health and welfare of our community, especially our youth; and

WHEREAS, according to the Food and Drug Administration (FDA), 7-OH, a naturally occurring substance in the kratom plant, produces respiratory depression, physical dependence, and withdrawal symptoms characteristic of classical opioids, such as morphine, fentanyl, oxycodone, and hydrocodone; and

WHEREAS, according to the Washington Poison Center (WAPC), from 2015 to 2018, exposures to Kratom rose from 330 to 1400 per year. This stayed consistent through March 2025. Exposures increased drastically starting in April 2025 and reached 1800 as of early August. In 2025, approximately one-third of kratom calls to WAPC have been about 7-OH extracts; and

WHEREAS, Kratom containing products are not regulated by the FDA and may be present in a product without consumer awareness; and

WHEREAS, the [NAME OF TRIBE] has experienced [DESCRIBE SPECIFIC IMPACTS TO COMMUNITY IF APPLICABLE] attributed to the use of Kratom and 7-OH products; and

WHEREAS, kratom and 7-OH products may be available for sale within the [NAME OF TRIBE]'s jurisdiction; and

WHEREAS, injury to and loss of our people threatens [INSERT SPECIFIC IMPACTS SUCH AS WAY OF LIFE, CULTURE, COMMUNITY, FAMILIES, FUTURE GENERATIONS, EXISTENCE].

Drafted by the American Indian Health Commission
12-5-2025

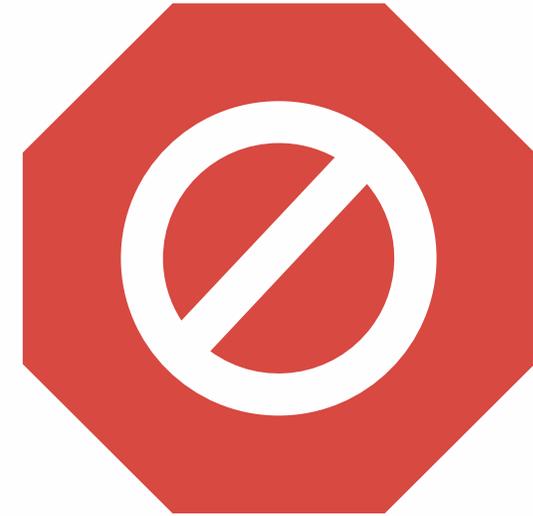
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AIHC Template Kratom Resolution

- Provides legal mechanism for a Tribe to add restrictions on the sale of Kratom within their jurisdiction
- AIHC used the Colorado law as a blueprint





AIHC Template Kratom Resolution Considerations

- Tribes may wish to use more restrictive/less restrictive language depending upon their individual circumstances
- For other example laws regulating the sale of Kratom, see “[Kratom: Summary of State Laws](#),” published by the Legislative Analysis and Public Policy Association
- Your Tribe may want to consider using [HB 2291](#) as a starting point to mirror surrounding jurisdiction’s laws should this pass in the future



Other Helpful Resources

- UW Addictions, Drug, & Alcohol Institute (ADAI), [Kratom & 7-OH: What do we know about use, safety, and overdose risk?](https://adai.uw.edu/wordpress/wp-content/uploads/kratom-and-7OH.pdf)
<https://adai.uw.edu/wordpress/wp-content/uploads/kratom-and-7OH.pdf>
- WA Poison Control Center <https://www.wapc.org/>



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Thank you