

Requested by Senator STEINER

**PROPOSED AMENDMENTS TO
SENATE BILL 303**

1 On page 1 of the printed bill, delete lines 5 through 30 and delete pages
2 2 through 4 and insert:

3 **“SECTION 1. Sections 2 and 3 of this 2023 Act are added to and
4 made a part of ORS 475A.210 to 475A.722.**

5 **“SECTION 2. (1) As used in this section, ‘adverse behavioral re-
6 action’ and ‘adverse medical reaction’ have the meanings given those
7 terms by rule by the Oregon Health Authority.**

8 **“(2) A psilocybin service center operator that holds a license issued
9 under ORS 475A.305 shall:**

10 **“(a) Collect and maintain the following information, in addition to
11 the information required to complete a client information form de-
12 scribed in ORS 475A.350:**

13 **“(A) The race, ethnicity, preferred spoken and written languages,
14 disability status, sexual orientation, gender identity, income, age and
15 county of residence of each client; and**

16 **“(B) The reasons for which a client requests psilocybin services;**

17 **“(b) Compile and maintain the following information that pertains
18 to the three-month period immediately preceding a quarterly sub-
19 mission under subsection (4) of this section:**

20 **“(A) The number of clients served;**

21 **“(B) The number of individual administration sessions provided;**

1 **“(C) The number of group administration sessions provided;**
2 **“(D) The number of individuals to whom the psilocybin service**
3 **center denied psilocybin services and the reasons for which psilocybin**
4 **services were denied;**
5 **“(E) The number and severity of:**
6 **“(i) Adverse behavioral reactions experienced by clients, of which**
7 **the psilocybin service center operator is aware; and**
8 **“(ii) Adverse medical reactions experienced by clients, of which the**
9 **psilocybin service center operator is aware; and**
10 **“(F) Any additional information required by the authority by rule**
11 **as described in subsection (7) of this section; and**
12 **“(c) Compute, for the period described in paragraph (b) of this**
13 **subsection, and maintain the following information:**
14 **“(A) The average number of times per client that psilocybin services**
15 **were received;**
16 **“(B) The average number of clients participating in each group ad-**
17 **ministration session; and**
18 **“(C) The average dose of psilocybin per client per administration**
19 **session.**
20 **“(3) Pursuant to rules adopted by the authority, a client may re-**
21 **quest that a psilocybin service center operator not submit to the au-**
22 **thority information provided by the client as described in subsection**
23 **(2) of this section.**
24 **“(4) Subject to subsection (3) of this section, a psilocybin service**
25 **center operator shall submit, in a manner that protects the personally**
26 **identifiable information of a client or individual from whom informa-**
27 **tion is collected, to the authority on a quarterly basis the information**
28 **described in subsection (2) of this section. The authority may exempt**
29 **from the submission requirement information that the authority de-**
30 **termines cannot be adequately deidentified.**

1 “(5) The authority shall aggregate and submit the information re-
2 ceived under subsection (4) of this section to the Oregon Health and
3 Science University for the purpose of enabling the evaluation of out-
4 comes of psilocybin services provided under ORS 475A.210 to 475A.722.

5 “(6)(a) Except as otherwise required by law, the information col-
6 lected, maintained and reported under this section is exempt from
7 disclosure under ORS 192.311 to 192.478.

8 “(b) Information collected, computed, maintained or reported under
9 this section may not be sold.

10 “(7) The authority may adopt rules to carry out this section. Rules
11 adopted under this section may include rules to require a psilocybin
12 service center operator to collect information in addition to that de-
13 scribed in subsection (2) of this section that, in the discretion of the
14 authority, would be beneficial to understanding the outcomes of
15 psilocybin services provided under ORS 475A.210 to 475A.722.

16 “SECTION 3. (1) The Oregon Health Authority shall collect and
17 compile data on:

18 “(a) The total number of licenses issued under ORS 475A.290,
19 475A.305, 475A.325 and 475A.594, compiled by each license type;

20 “(b) The total number of applications submitted for licenses issued
21 under ORS 475A.290, 475A.305, 475A.325 and 475A.594 and the reasons
22 for any denials of licensure;

23 “(c) The race, ethnicity, preferred spoken and written languages,
24 disability status, sexual orientation and gender identity of each
25 licensee; and

26 “(d) The total number of disciplinary actions taken by the authority
27 against licensees, compiled by license type and action taken.

28 “(2)(a) Subject to paragraph (b) of this subsection, the data col-
29 lected and compiled under subsection (1) of this section is exempt from
30 disclosure under ORS 192.311 to 192.478.

1 **“(b) The authority shall aggregate and make publicly available the**
2 **data described in subsection (1)(a) to (c) of this section.**

3 **“(3) The authority may adopt rules to carry out this section.**

4 **“SECTION 4.** ORS 475A.450 is amended to read:

5 **“475A.450. Confidentiality of information and communications by clients;**
6 **exceptions.** A psilocybin service center operator, a psilocybin service
7 facilitator[,] or any employee of a psilocybin service center operator or
8 psilocybin service facilitator may not disclose any information that may be
9 used to identify a client, or any communication made by a client during the
10 course of providing psilocybin services or selling psilocybin products to the
11 client, except **when:**

12 “(1) [*When*] The client or a person authorized to act on behalf of the cli-
13 ent gives consent to the disclosure;

14 “(2) [*When*] The client initiates legal action or makes a complaint against
15 the psilocybin service center operator, the psilocybin service facilitator[,] or
16 the employee;

17 “(3) [*When*] The communication reveals the intent to commit a crime
18 harmful to the client or others;

19 “(4) [*When*] The communication reveals that a minor may have been a
20 victim of a crime or physical, sexual or emotional abuse or neglect; [*or*]

21 “(5) [*When*] Responding to an inquiry by the Oregon Health Authority
22 made during the course of an investigation into the conduct of the psilocybin
23 service center operator, the psilocybin service facilitator[,] or the employee
24 under ORS 475A.210 to 475A.722[.]; or

25 **“(6) Reporting to the authority the data described in section 2 of**
26 **this 2023 Act.**

27 **“SECTION 5. A psilocybin service center operator and the Oregon**
28 **Health Authority shall first submit the information and data described**
29 **in sections 2 and 3 of this 2023 Act not later than the end of the**
30 **quarter that begins on January 1, 2024.**

