

HB 2387 -1 STAFF MEASURE SUMMARY

House Committee On Behavioral Health and Health Care

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Meeting Dates: 3/20, 4/3

WHAT THE MEASURE DOES:

The measure modifies laws governing the provision of psilocybin services in Oregon.

Detailed Summary:

- Requires the Oregon Health Authority (OHA) to keep confidential information obtained in an investigation of a psilocybin training program, licensee, or applicant. Permits disclosure of information to the extent necessary to conduct an investigation or to another public entity if the information related to the regulatory responsibilities of that entity. Defines public entity as state boards or agencies (including from another state), district attorneys, the Department of Justice, and law enforcement agencies.
- Specifies information that OHA must disclose when issuing a notice of intent to deny a license or permit or a notice of intent to impose disciplinary action. Specifies exceptions.
- Prohibits Oregon Board of Licensed Professional Counselors and Therapists, Oregon Board of Naturopathic Medicine, Oregon Board of Psychology, Oregon Medical Board, Oregon State Board of Nursing, State Board of Licensed Social Workers, and State Board of Pharmacy from taking disciplinary action against a licensee for providing psilocybin services. Prohibits health care providers, as defined in ORS 127.505, from being subject to discipline for discussing psilocybin services with a patient.
- Permits OHA to require fingerprints of psilocybin service applicants for the purpose of requesting a criminal records check.
- Modifies membership of Oregon Psilocybin Advisory Board, including reducing membership from 14 to 16 down to nine.
- Permits OHA to deny issuance of psilocybin services license based on inability to pass a fitness determination or criminal records check.
- Adds veteran status to information that a psilocybin service center must collect from clients.
- Adds to requirement that psilocybin products include psilocin content on label in addition to potency.
- Declares emergency, effective on passage.

FISCAL: *May have fiscal impact, but no statement yet issued.*

REVENUE: *May have revenue impact, but no statement yet issued.*

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

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- Clarifies circumstances in which OHA may disclose otherwise confidential information to include notice of intent to deny training program course approval.
- Clarifies circumstances where specified boards are prohibited from taking disciplinary action against licensees.
- Removes inability to pass fitness examination as permitted reason to deny psilocybin services license.

BACKGROUND:

Psilocybin is a naturally occurring psychedelic compound found in over 200 species of mushrooms. For centuries, Indigenous and tribal communities around the world have used psilocybin for spiritual, ceremonial, and other

purposes. Research has shown that psilocybin can help address depression, anxiety, trauma, and addiction.

In November 2020 Oregon voters passed Ballot Measure 109, directing the Oregon Health Authority (OHA) to license and regulate the manufacturing, transportation, delivery, sale, and purchase of psilocybin products and the provision of psilocybin services. The Oregon Psilocybin Services Section of OHA began accepting applications for licensure on January 2, 2023 and psilocybin service centers began opening in the summer of 2023.

House Bill 2387 modifies laws governing the provision of psilocybin services in Oregon.