

Enrolled
House Bill 2387

Sponsored by Representative GRAYBER; Representatives MUNOZ, NELSON (Presession filed.)

CHAPTER

AN ACT

Relating to psilocybin; creating new provisions; amending ORS 475A.220, 475A.225, 475A.250, 475A.372, 475A.380, 475A.477, 475A.483, 475A.586, 475A.626 and 676.177; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Sections 2 to 5 of this of this 2025 Act are added to and made a part of ORS 475A.210 to 475A.722.

SECTION 2. (1) Except as provided in this section, section 3 of this 2025 Act and ORS 475A.586, the Oregon Health Authority shall keep confidential any information obtained by the authority as part of an investigation of a psilocybin training program or a licensee, licensee representative, applicant for licensure, holder of a permit issued under ORS 475A.483 or applicant for a permit issued under ORS 475A.483, including any information contained in a complaint, and any information that might reasonably lead to the identification of a complainant.

(2) The authority may disclose the information described in subsection (1) of this section to the extent necessary to conduct an investigation or as allowed under section 3 of this 2025 Act.

(3) If the authority issues a notice of intent to deny a license or permit, a notice of intent to impose a disciplinary sanction or a notice of intent to deny training program course approval, the authority:

(a) Shall disclose information obtained as part of an investigation of an applicant, permittee, training program or licensee if the requester of the information demonstrates by clear and convincing evidence that the public interest in disclosure outweighs any interests in nondisclosure, including but not limited to the public interest in nondisclosure.

(b) May disclose to a complainant a written summary of information obtained as part of an investigation of an applicant, permittee, training program or licensee resulting from the complainant's complaint to the extent the authority determines necessary to explain the reasons for the authority's decisions related to the complaint. The applicant, permittee, provider of a training program or licensee that is the subject of the complaint may request and is entitled to receive a copy of a written summary under this paragraph from which the authority shall redact any information that could be reasonably used to identify the complainant.

(4) If the authority issues a notice of intent to deny a license or permit, a notice of intent to impose a disciplinary sanction or a notice of intent to deny a training program course approval, the applicant, permittee, provider of a training program or licensee that is the

subject of the notice may request, and the authority shall disclose to the applicant, permittee, provider of a training program or licensee all information obtained by the authority in the investigation of the allegations in the notice except:

- (a) Information that is privileged or confidential under a law other than this section;
- (b) Information that would enable the identification of any person who provided information that led to the filing of the notice and who will not provide testimony at a hearing arising out of the investigation;
- (c) Information that would enable the identification of a person as a complainant to the authority about the applicant, permittee, training program or licensee; or
- (d) Reports of expert witnesses.

(5) Nothing in this section is intended to prohibit the authority from making public:

- (a) A notice of intent issued by the authority to deny a license or permit, to impose a disciplinary sanction against an applicant, permittee, provider of a training program or licensee or to deny training program course approval;
- (b) A final order that results from a notice described in paragraph (a) of this subsection;
- (c) An emergency suspension order; or
- (d) A consent order or stipulated agreement that involves the conduct of an applicant, permittee, training program or licensee.

SECTION 3. (1) As used in this section, “public entity” means:

- (a) A board or agency of this state;
- (b) A board or agency of another state with regulatory or enforcement functions similar to those of the Oregon Health Authority under ORS 475A.210 to 475A.722;
- (c) A district attorney;
- (d) The Department of Justice; or
- (e) A law enforcement agency.

(2) Subject to section 2 of this 2025 Act, the Oregon Health Authority may disclose confidential information to another public entity if the information reasonably relates to the regulatory or enforcement function of the other public entity. A public entity that receives information under this subsection shall take all reasonable steps to maintain the confidentiality of the information, except that the public entity may use or disclose the information to the extent necessary to carry out the regulatory or enforcement functions of the public entity.

(3) The authority may not disclose information described in subsection (2) of this section to another public entity if the information relates to the provision of or referral for reproductive or gender-affirming health care services.

SECTION 4. (1)(a) As used in this subsection, “board” means:

- (A) The Oregon Board of Licensed Professional Counselors and Therapists;
 - (B) The Oregon Board of Naturopathic Medicine;
 - (C) The Oregon Board of Psychology;
 - (D) The Oregon Medical Board;
 - (E) The Oregon State Board of Nursing;
 - (F) The State Board of Licensed Social Workers; and
 - (G) The State Board of Pharmacy.
- (b) A person who is licensed or otherwise authorized by a board to provide health care or behavioral health care services and who holds a license under ORS 475A.325 may, in accordance with the provisions of ORS 475A.210 to 475A.722 and rules adopted under ORS 475A.210 to 475A.722:

(A) Conduct preparation sessions and integration sessions with clients in addition to and while providing health care or behavioral health care services.

(B) Conduct administration sessions with clients, so long as the person does not provide health care or behavioral health care services while providing psilocybin services.

(2) A health care provider, as defined in ORS 127.505, may not be subject to a civil penalty or other disciplinary action by the state agency that regulates the health care provider for:

(a) Discussing with a client or patient, as a treatment option, psilocybin services provided by a psilocybin service facilitator that holds a license issued under ORS 475A.325 at a psilocybin service center for which a license is issued under ORS 475A.305; or

(b) If the health care provider holds a license issued under ORS 475A.325, providing psilocybin services in accordance with the provisions of ORS 475A.210 to 475A.722 and rules adopted under ORS 475A.210 to 475A.722, so long as the health care provider does not provide health care services while providing psilocybin services.

SECTION 5. For the purpose of requesting a state or nationwide criminal records check under ORS 181A.195, the Oregon Health Authority may require the fingerprints of any individual listed on an application submitted under ORS 475A.210 to 475A.722.

SECTION 6. ORS 475A.220 is amended to read:

475A.220. *[Definitions.]* As used in ORS 475A.210 to 475A.722:

(1) "Administration session" means a session *[held at a psilocybin service center]* at which a client *[purchases,]* consumes*[,]* and experiences the effects of a psilocybin product under the supervision of a psilocybin service facilitator.

(2) "Client" means an individual that is provided psilocybin services in this state.

(3) "Integration session" means a meeting between a client and a psilocybin service facilitator that may occur after the client completes an administration session.

(4) "Legal entity" means a corporation, limited liability company, limited partnership, or other legal entity that is registered with the office of the Secretary of State or with a comparable office of another jurisdiction.

(5) "Licensee" means a person that holds a license issued under ORS 475A.290, 475A.305, 475A.325 or 475A.594.

(6) "Licensee representative" means an owner, director, officer, manager, employee, agent or other representative of a licensee, to the extent that the person acts in a representative capacity.

(7) "Manufacture" means the manufacture, planting, cultivation, growing, harvesting, production, preparation, propagation, compounding, conversion or processing of a psilocybin product, either directly or indirectly by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the psilocybin product or labeling or relabeling of its container.

(8)(a) "Premises" includes the following areas of a location licensed under ORS 475A.210 to 475A.722:

(A) All public and private enclosed areas at the location that are used in the business operated at the location, including offices, kitchens, rest rooms and storerooms;

(B) All areas outside a building that the Oregon Health Authority has specifically licensed for the manufacturing of psilocybin products or the operation of a psilocybin service center; and

(C) For a location that the authority has specifically licensed for the operation of a psilocybin service center outside a building, that portion of the location used to operate the psilocybin service center and provide psilocybin services to clients.

(b) "Premises" does not include a primary residence.

(9) "Preparation session" means a meeting between a client and a psilocybin service facilitator that must occur before the client participates in an administration session.

(10) "Psilocybin" means psilocybin or psilocin.

(11) "Psilocybin product manufacturer" means a person that manufactures psilocybin products in this state.

(12)(a) "Psilocybin products" means:

(A) Psilocybin-producing fungi; and

(B) Mixtures or substances containing a detectable amount of psilocybin.

(b) "Psilocybin products" does not include psilocybin services.

(13) "Psilocybin service center" means an establishment:

- (a) At which administration sessions are held; and
- (b) At which other psilocybin services may be provided.
- (14) "Psilocybin service center operator" means a person that operates a psilocybin service center in this state.
- (15) "Psilocybin service facilitator" means an individual that facilitates the provision of psilocybin services in this state.
- (16) "Psilocybin services" means services provided to a client before, during, and after the client's consumption of a psilocybin product, including:
 - (a) A preparation session;
 - (b) An administration session; and
 - (c) An integration session.
- (17) "Two-year program development period" means the period beginning on January 1, 2021 and ending no later than December 31, 2022.

SECTION 7. ORS 475A.225 is amended to read:

475A.225. *[Members; terms; meetings; compensation.] [(1)(a)] (1) The Oregon Psilocybin Advisory Board is established within the Oregon Health Authority for the purpose of advising and making recommendations to the authority. [The Oregon Psilocybin Advisory Board shall consist of:]*

[(A) 14 to 16 members appointed by the Governor as specified in paragraph (b) of this subsection;]

[(B) The Public Health Director or the Public Health Director's designee;]

[(C) If the Public Health Director is not the State Health Officer, the State Health Officer or a physician licensed under ORS chapter 677 acting as the State Health Officer's designee;]

[(D) If the Public Health Director is the State Health Officer, a representative from the Oregon Health Authority who is familiar with public health programs and public health activities in this state; and]

[(E) A designee of the Oregon Health Policy Board.]

[(b) The Governor shall appoint the following individuals to the board:]

[(A) Any four of the following:]

[(i) A state employee who has technical expertise in the field of public health;]

[(ii) A local health officer, as defined in ORS 431.003;]

[(iii) An individual who is a member of, or who represents, a federally recognized Indian tribe in this state;]

[(iv) An individual who is a member of, or who represents, the Addictions and Mental Health Planning and Advisory Council within the authority;]

[(v) An individual who is a member of, or who represents, the Health Equity Policy Committee within the authority;]

[(vi) An individual who is a member of, or who represents, the Palliative Care and Quality of Life Interdisciplinary Advisory Council within the authority; and]

[(vii) An individual who represents individuals who provide public health services directly to the public;]

[(B) A psychologist licensed under ORS chapter 675 who has professional experience engaging in the diagnosis or treatment of a mental, emotional, or behavioral condition;]

[(C) A physician licensed under ORS chapter 677 who holds a degree of Doctor of Medicine;]

[(D) A naturopathic physician licensed under ORS chapter 685;]

[(E) An expert in the field of public health who has a background in academia;]

[(F) Any three of the following:]

[(i) A person who has professional experience conducting scientific research regarding the use of psychedelic compounds in clinical therapy;]

[(ii) A person who has experience in the field of mycology;]

[(iii) A person who has experience in the field of ethnobotany;]

[(iv) A person who has experience in the field of psychopharmacology; and]

[(v) A person who has experience in the field of psilocybin harm reduction;]

[(G) A person representing the Oregon Liquor and Cannabis Commission who has experience working with the system developed and maintained by the commission under ORS 475C.177 for tracking the transfer of marijuana items;]

[(H) A person representing the Department of Justice; and]

[(I) The following:]

[(i) During the two-year program development period;]

[(I) One of the chief petitioners of chapter 1, Oregon Laws 2021; and]

[(II) One or two at-large members; and]

[(ii) After the two-year program development period, one, two, or three at-large members.] **The board shall consist of nine members appointed by the Governor as follows:**

(a) A psilocybin service center operator who holds a license issued under ORS 475A.305;

(b) A psilocybin service facilitator who holds a license issued under ORS 475A.325;

(c) An individual who is a member of, or who represents, a federally recognized Indian tribe in this state;

(d) An individual who has professional experience in the field of mycology;

(e) An individual who has experience in the field of psilocybin harm reduction;

(f) An individual who has technical expertise in the field of behavioral health;

(g) An individual who practices in the field of behavioral or mental health and is a:

(A) Physician licensed under ORS chapter 677;

(B) Nurse licensed under ORS 678.010 to 678.410;

(C) Licensed psychologist as defined in ORS 675.010;

(D) Clinical social worker licensed under ORS 675.530;

(E) Licensed marriage and family therapist, as defined in ORS 675.705;

(F) Licensed professional counselor, as defined in ORS 675.705; or

(G) Naturopathic physician licensed under ORS chapter 685; and

(h) Two members of the public.

(2)[(a)] The term of office for a board member appointed under this section is four years, but a member serves at the pleasure of the Governor. Before the expiration of the term of a member, the Governor shall appoint a successor whose term begins on January 1 next following. A member is eligible for reappointment. If there is a vacancy for any cause, the Governor shall make an appointment to become immediately effective for the unexpired term.

[(b) Members of the board described in subsection (1)(a)(B) to (E) of this section are nonvoting ex officio members of the board.]

(3) A majority of the voting members of the board constitutes a quorum for the transaction of business.

(4) Official action by the board requires the approval of a majority of the voting members of the board.

(5) The board shall elect one of its voting members to serve as chairperson.

(6) During the two-year program development period, the board shall meet at least once every two calendar months at a time and place determined by the chairperson or a majority of the voting members of the board. After the two-year program development period, the board shall meet at least once every calendar quarter at a time and place determined by the chairperson or a majority of the voting members of the board. The board also may meet at other times and places specified by the call of the chairperson or of a majority of the voting members of the board.

(7) The board may adopt rules necessary for the operation of the board.

(8) The board may establish committees and subcommittees necessary for the operation of the board.

(9) Members of the board are entitled to compensation and expenses as provided in ORS 292.495.

SECTION 8. ORS 475A.250 is amended to read:

475A.250. *[(Grounds for refusing to issue license or issuing restricted license.)]* (1) The Oregon Health Authority may not license an applicant under the provisions of ORS 475A.210 to 475A.722 if the applicant is under 21 years of age.

(2) The authority may refuse to issue a license or may issue a restricted license to an applicant under the provisions of ORS 475A.210 to 475A.722 if the authority makes a finding that the applicant:

(a) Has not completed [any] **the** education or training required by the provisions of ORS 475A.210 to 475A.722 or rules adopted under ORS 475A.210 to 475A.722.

(b) Has not passed [any] **an** examination required by the provisions of ORS 475A.210 to 475A.722 or rules adopted under ORS 475A.210 to 475A.722.

(c) Is in the habit of using alcoholic beverages, habit-forming drugs, or controlled substances to excess.

(d) Has made false statements to the authority.

(e) Is incompetent or physically unable to carry on the management of the establishment proposed to be licensed.

(f) Has been convicted of violating a federal law, state law or local ordinance if the conviction is substantially related to the fitness and ability of the applicant to lawfully carry out activities under the license.

(g) Is not of good repute and moral character.

(h) Does not have a good record of compliance with ORS 475A.210 to 475A.722 or any rule adopted under ORS 475A.210 to 475A.722.

(i) Is not the legitimate owner of the premises proposed to be licensed, or has not disclosed that other persons have ownership interests in the premises proposed to be licensed.

(j) Has not demonstrated financial responsibility sufficient to adequately meet the requirements of the premises proposed to be licensed.

(k) Is unable to understand the laws of this state relating to psilocybin products, psilocybin services, or the rules adopted under ORS 475A.210 to 475A.722.

(L) Does not have an approved criminal records check under ORS 181A.195.

(3) Notwithstanding subsection (2)(f) of this section, in determining whether to issue a license or a restricted license to an applicant, the authority may not consider the prior conviction of the applicant or any owner, director, officer, manager, employee, agent or other representative of the applicant for:

(a) The manufacture of psilocybin or the manufacture of a marijuana item, as defined in ORS 475C.009, if:

(A) The date of the conviction is two or more years before the date of the application; and

(B) The person has not been convicted more than once for the manufacture of psilocybin or a marijuana item; or

(b) The possession of a controlled substance, as defined in ORS 475.005, or a marijuana item, as defined in ORS 475C.009, if:

(A) The date of the conviction is two or more years before the date of the application; or

(B) The person has not been convicted more than once for the possession of a controlled substance or a marijuana item.

SECTION 9. ORS 475A.372 is amended to read:

475A.372. (1) As used in this section, “adverse behavioral reaction” and “adverse medical reaction” have the meanings given those terms by rule by the Oregon Health Authority.

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

(a) Collect and maintain the following information, in addition to the information required to complete a client information form described in ORS 475A.350:

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

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

(b) Compile and maintain the following information that pertains to the three-month period immediately preceding a quarterly submission under subsection (4) of this section:

(A) The number of clients served;

(B) The number of individual administration sessions provided;

- (C) The number of group administration sessions provided;
- (D) The number of individuals to whom the psilocybin service center **or a psilocybin service facilitator practicing at the psilocybin service center** denied psilocybin services and the reasons for which psilocybin services were denied;
- (E) The number and severity of:
 - (i) Adverse behavioral reactions experienced by clients, of which the psilocybin service center operator is aware; and
 - (ii) Adverse medical reactions experienced by clients, of which the psilocybin service center operator is aware; and
- (F) Any additional information required by the authority by rule as described in subsection (7) of this section; and
- (c) Compute, for the period described in paragraph (b) of this subsection, and maintain the following information:
 - (A) The average number of times per client that psilocybin services were received;
 - (B) The average number of clients participating in each group administration session; and
 - (C) The average dose of psilocybin per client per administration session.
- (3) Pursuant to rules adopted by the authority, a client may request that a psilocybin service center operator not submit to the authority information provided by the client as described in subsection (2) of this section.
- (4) Subject to subsection (3) of this section, a psilocybin service center operator shall aggregate and submit, in a manner that protects the personally identifiable information of a client or individual from whom information is collected, to the authority on a quarterly basis the information described in subsection (2) of this section. The authority may exempt from the submission requirement information that the authority determines cannot be adequately deidentified.
- (5) The authority shall submit the information received under subsection (4) of this section to the Oregon Health and Science University for the purpose of enabling the evaluation of outcomes of psilocybin services provided under ORS 475A.210 to 475A.722.
- (6)(a) Except as otherwise required by law, the information collected, maintained and reported under this section is exempt from disclosure under ORS 192.311 to 192.478.
- (b) Information collected, computed, maintained or reported under this section may not be sold.
- (7) The authority may adopt rules to carry out this section. Rules adopted under this section may include rules to require a psilocybin service center operator to collect and submit to the authority information in addition to that described in subsection (2) of this section that, in the discretion of the authority, would be beneficial to understanding the outcomes of psilocybin services provided under ORS 475A.210 to 475A.722.

SECTION 10. ORS 475A.380 is amended to read:

475A.380. *[Minimum standards of education and training for psilocybin service facilitators; rules.]* (1) The Oregon Health Authority shall adopt by rule minimum standards of education and training requirements for psilocybin service facilitators.

(2) The authority shall approve **training program** courses for psilocybin service facilitators. To obtain approval of a **training program** course, the provider of a **training program** course must submit an outline of instruction to the authority. The outline must include the approved **training program** courses, total hours of instruction, hours of lectures in theory and the hours of instruction in application of practical skills.

SECTION 11. ORS 475A.477 is amended to read:

475A.477. *[Grounds for revocation, suspension or restriction of license.]* The Oregon Health Authority may revoke, suspend or restrict a license issued under ORS 475A.210 to 475A.722 or require a licensee or licensee representative to undergo training if the authority finds or has reasonable ground to believe any of the following to be true:

- (1) That the licensee or licensee representative:
 - (a) Has violated a provision of ORS 475A.210 to 475A.722 or a rule adopted under ORS 475A.210 to 475A.722, including any code of professional conduct or code of ethics.

(b) Has made any false representation or statement to the authority in order to induce or prevent action by the authority.

(c) Is insolvent or incompetent or physically unable to carry on the management of the establishment of the licensee.

(d) Is in the habit of using alcoholic liquor, habit-forming drugs, marijuana, psilocybin products or controlled substances to excess.

(e) Has misrepresented to a person or the public any psilocybin products sold by the licensee or licensee representative.

(f) Since the issuance of the license, has been convicted of a felony, of violating any of the psilocybin products laws of this state, general or local, or of any misdemeanor or violation of any municipal ordinance committed on the premises for which the license has been issued.

(g) Does not have an approved criminal records check under ORS 181A.195.

(2) That there is any other reason that, in the opinion of the authority, based on public convenience or necessity, warrants revoking, suspending or restricting the license.

SECTION 12. ORS 475A.483 is amended to read:

475A.483. *[Issuing, renewing permits; fees; rules.]* (1) The Oregon Health Authority shall issue permits to qualified applicants to perform work described in ORS 475A.480. The authority shall adopt rules establishing:

(a) The qualifications for performing work described in ORS 475A.480;

(b) The term of a permit issued under this section;

(c) Procedures for applying for and renewing a permit issued under this section; and

(d) Reasonable application, issuance and renewal fees for a permit issued under this section.

(2)(a) The authority may require an individual applying for a permit under this section to successfully complete a **training program** course, made available by or through the authority, through which the individual receives training on:

(A) Checking identification;

(B) Detecting intoxication;

(C) Handling psilocybin products;

(D) If applicable, the manufacturing of psilocybin products;

(E) The content of ORS 475A.210 to 475A.722 and rules adopted under ORS 475A.210 to 475A.722; or

(F) Any matter deemed necessary by the authority to protect the public health and safety.

(b) The authority or other provider of a **training program** course may charge a reasonable fee for the **training program** course.

(c) The authority may not require an individual to successfully complete a **training program** course more than once, except that:

(A) As part of a final order suspending a permit issued under this section, the authority may require a permit holder to successfully complete the **training program** course as a condition of lifting the suspension; and

(B) As part of a final order revoking a permit issued under this section, the authority shall require an individual to successfully complete the **training program** course prior to applying for a new permit.

(3) The authority shall conduct a criminal records check under ORS 181A.195 on an individual applying for a permit under this section.

(4) Subject to the applicable provisions of ORS chapter 183, the authority may suspend, revoke or refuse to issue or renew a permit if the individual who is applying for or who holds the permit:

(a) Is convicted of a felony or is convicted of an offense under ORS 475A.210 to 475A.722, except that the authority may not consider a conviction for an offense under ORS 475A.210 to 475A.722 if the date of the conviction is two or more years before the date of the application or renewal;

(b) Violates any provision of ORS 475A.210 to 475A.722 or any rule adopted under ORS 475A.210 to 475A.722; [or]

(c) Makes a false statement to the authority[.]; **or**

(d) Does not have an approved criminal records check under ORS 181A.195.

(5) A permit issued under this section is a personal privilege and permits work described under ORS 475A.480 only for the individual who holds the permit.

SECTION 13. ORS 475A.586 is amended to read:

475A.586. [*Certain information related to licensure exempt from disclosure.*] (1) Subject to subsection (2) of this section, information is exempt from public disclosure under ORS 192.311 to 192.478 if the information is:

(a) Personally identifiable information, as defined in ORS 432.005;

(b) The address of a premises for which a license has been issued or for which an applicant has proposed licensure under ORS 475A.290, 475A.305 or 475A.594;

(c) Related to the security plan or the operational plan for a premises for which a license has been issued or for which an applicant has proposed licensure under ORS 475A.290, 475A.305 or 475A.594; or

(d) Related to any record that the Oregon Health Authority determines contains proprietary information of a licensee.

(2) The exemption from public disclosure as provided by this section does not apply to:

(a) The name of an individual listed on an application, if the individual is a direct owner of the business operating or to be operated under the license; or

(b) A request for information if the request is made by a law enforcement agency, **unless the information requested is confidential pursuant to section 3 of this 2025 Act.**

(3) For purposes of subsection (2)(a) of this section, an individual is not a direct owner of the business operating or to be operated under the license if:

(a) The direct owner of the business operating or to be operated under the license is a legal entity; and

(b) The individual is merely a general partner, limited partner, member, shareholder, or other direct or indirect owner of the legal entity.

SECTION 14. ORS 475A.626 is amended to read:

475A.626. [*Packaging, Labeling and Dosage of Psilocybin Products.*] (1) As is necessary to protect the public health and safety, and in consultation with the State Department of Agriculture and the Oregon Liquor and Cannabis Commission, the Oregon Health Authority shall adopt rules establishing standards for the labeling of psilocybin products, including but not limited to:

(a) Ensuring that psilocybin products have labeling that communicates:

(A) Health and safety warnings;

(B) If applicable, activation time;

(C) Potency, **including the psilocin content;**

(D) If applicable, serving size and the number of servings included in a psilocybin product;

(E) Content of the psilocybin product; and

(b) Labeling that is in accordance with applicable state food labeling requirements for the same type of food product or potable liquid when the food product or potable liquid does not contain psilocybin.

(2) In adopting rules under ORS 475A.210 to 475A.722, the authority shall require all psilocybin products sold or transferred by a psilocybin service center that holds a license issued under ORS 475A.305 to be labeled in accordance with subsection (1) of this section and rules adopted under subsection (1) of this section.

(3) In adopting rules under subsection (1) of this section, the authority:

(a) May establish different labeling standards for different varieties and types of psilocybin products;

(b) Shall consider the cost of a potential requirement and how that cost will affect the cost to the ultimate client; and

(c) May not adopt rules that are more restrictive than is reasonably necessary to protect the public health and safety.

SECTION 15. ORS 676.177 is amended to read:

676.177. (1) For purposes of this section, “public entity” means:

(a) A board or agency of this state, or a board or agency of another state with regulatory or enforcement functions similar to the functions of a health professional regulatory board of this state;

(b) A district attorney;

(c) The Department of Justice;

(d) A state or local public body of this state that licenses, franchises or provides emergency medical services; or

(e) A law enforcement agency of this state, another state or the federal government.

[(1)] (2) Notwithstanding any other provision of ORS 676.165 to 676.180 and except as provided in subsection (5) of this section, a health professional regulatory board, upon a determination by the board that it possesses otherwise confidential information that reasonably relates to the regulatory or enforcement function of another public entity, may disclose that information to the other public entity.

[(2)] (3) Any public entity that receives information pursuant to subsection [(1)] (2) of this section shall agree to take all reasonable steps to maintain the confidentiality of the information, except that the public entity may use or disclose the information to the extent necessary to carry out the regulatory or enforcement functions of the public entity.

[(3) For purposes of this section, “public entity” means:]

[(a) A board or agency of this state, or a board or agency of another state with regulatory or enforcement functions similar to the functions of a health professional regulatory board of this state;]

[(b) A district attorney;]

[(c) The Department of Justice;]

[(d) A state or local public body of this state that licenses, franchises or provides emergency medical services; or]

[(e) A law enforcement agency of this state, another state or the federal government.]

(4) Notwithstanding subsections [(1) to] (2) and (3) of this section, the Oregon Board of Physical Therapy may disclose information described in subsection [(1)] (2) of this section to the Physical Therapy Compact Commission established in ORS 688.240.

(5) A health professional regulatory board may not disclose the information described in subsection [(1)] (2) of this section to another public entity if the information relates to the provision of or referral for reproductive or gender-affirming health care services.

(6) A health professional regulatory board may disclose to the Oregon Health Authority information described in subsection (2) of this section. The authority shall take all reasonable steps to maintain the confidentiality of any information received under this subsection, except that the authority may use the information to the extent necessary to carry out its regulatory or enforcement functions under ORS 475A.210 to 475A.722.

SECTION 16. Sections 2 and 3 of this 2025 Act and the amendments to ORS 475A.586 and 676.177 by sections 13 and 15 of this 2025 Act apply to information obtained by the Oregon Health Authority or a health professional regulatory board on or after the effective date of this 2025 Act.

SECTION 17. The amendments to ORS 475A.225 by section 7 of this 2025 Act apply to members appointed to the Oregon Psilocybin Advisory Board on and after the operative date specified in section 18 of this 2025 Act. The members currently serving on the board shall complete their terms of office.

SECTION 18. (1) Sections 4 and 5 of this 2025 Act and the amendments to ORS 475A.220, 475A.225, 475A.250, 475A.372, 475A.380, 475A.477, 475A.483 and 475A.626 by sections 6 to 12 and 14 of this 2025 Act become operative on January 1, 2026.

(2) The Oregon Health Authority may take any action before the operative date specified in subsection (1) of this section that is necessary to enable the authority to exercise, on and after the operative date specified in subsection (1) of this section, all of the duties, functions and powers conferred on the authority by sections 4 and 5 of this 2025 Act and the amend-

ments to ORS 475A.220, 475A.225, 475A.250, 475A.372, 475A.380, 475A.477, 475A.483 and 475A.626 by sections 6 to 12 and 14 of this 2025 Act.

SECTION 19. This 2025 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2025 Act takes effect on its passage.

Passed by House April 14, 2025

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Timothy G. Sekerak, Chief Clerk of House

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Julie Fahey, Speaker of House

Passed by Senate May 13, 2025

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Rob Wagner, President of Senate

Received by Governor:

.....M.,....., 2025

Approved:

.....M.,....., 2025

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Tina Kotek, Governor

Filed in Office of Secretary of State:

.....M.,....., 2025

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Tobias Read, Secretary of State