

COMMITTEE OF ORIGIN: Standing Committee on Veterans

In this bill, any person who acquires, uses, produces, possesses, transfers, or administers psilocybin for the person's own therapeutic use will not be in violation of state or local law and will not be subject to a civil fine, penalty, or sanction so long as the following conditions are met:

- (1) The person is 21 years of age or older;
- (2) The person suffers from posttraumatic stress disorder, major depressive disorder, or a substance use disorder or requires end-of-life care;
- (3) The person has enrolled in a clinical trial to study the use of psilocybin to treat posttraumatic stress disorder, major depressive disorder, or substance use disorders or for end-of-life care or sought to enroll in a clinical trial but was declined due to lack of space or lack of existing clinical trials for which the person was eligible;
- (4) The person informs the Department of Health and Senior Services that the person plans to acquire, use, produce, possess, transfer, or administer psilocybin in accordance with this section;
- (5) The person provides the Department with documents outlined in the bill. The Department must maintain the confidentiality of any personally identifiable protected information collected from any persons who provide information to the Department;
- (6) The person ensures that a laboratory licensed by the State to test controlled substances tests the psilocybin the person intends to ingest. Any laboratory licensed by the State to test controlled substances or cannabis that tests psilocybin shall not be in violation of state or local law and shall not be subject to a civil fine, penalty, or sanction; and
- (7) The person limits the use of psilocybin to no more than 150 milligrams of psilocybin analyte (4-phosphoryloxy-N, N-dimethyltryptamine) during any 12 month period.

The Department must prepare and submit to the Governor, Lieutenant Governor, and the General Assembly annual reports on any information collected by the Department on the implementation and outcomes of the use of psilocybin.

This bill specifies that, a physician will not be subject to criminal or civil liability or sanction under the laws of this State for providing documentation that a person suffers from posttraumatic stress disorder, major depressive disorder, or a substance use disorder or requires end-of-life care, and no State agency or regulatory board shall revoke, fail to renew, or take any other action against a physician's license issued under Chapter 334, RSMo based solely on the physician's provision of documentation that a person suffers from posttraumatic stress disorder, major depressive disorder, or a substance use disorder or requires end-of-life care.

This bill also requires the Department, in collaboration with a Missouri University Hospital and Medical Center operated by the an institution of higher education in this state or contract research organizations conducting trials approved by the United States Food and Drug Administration in Missouri, to conduct a study on the efficacy of using alternative medicines and therapies, including, but not limited to, the use of psilocybin for the treatment of patients suffering from post-traumatic stress disorder, major depressive disorder, substance use disorders, or who require end-of-life care.

The bill specifies that such study shall include a clinical trial of psilocybin, as well as a literature review and the submission of various reports. No person participating in the clinical trial shall be subjected to criminal or civil liability or sanction for the participation in the clinical trial, except in cases of gross negligence or willful misconduct.

The Department of Health and Senior Services shall prepare and submit to the Governor, Lieutenant Governor and the General Assembly:

- (1) Quarterly reports on the progress of the study; and
- (2) A written report, submitted one year following the commencement of the study, which shall:
  - a. Contain the results of the study and any recommendations for legislative or regulatory action; and
  - b. Highlight those clinical practices that appear to be most successful as well as any safety or health concerns.

The Department must maintain the confidentiality of any personally identifiable protected information collected during the clinical trial.

A physician will not be subject to criminal or civil liability or sanction under the laws of this state for referring a patient to the clinical trial under this section, and no state agency or regulatory board shall revoke, fail to renew, or take any other action against a physician's license based solely on the physician's referral of a patient to the clinical trial under this section.