

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By \_\_\_\_\_

1 AMEND House Committee Substitute for House Bill Nos. 1717 & 1643, Page 6, Section  
2 191.480, Line 68, by inserting after said section and line the following:

3  
4 "191.1610. Sections 191.1610 to 191.1628 shall be known and may be cited as the  
5 "Veterans Mental Health Innovation Act".

6 191.1613. As used in sections 191.1610 to 191.1628, the following terms mean:

7 (1) "Applicant", an entity that applies for a grant under section 191.1616;

8 (2) "Consortium", a group created by law in another state of the United States for the  
9 purpose of conducting drug development clinical trials with ibogaine;

10 (3) "Department", the department of health and senior services;

11 (4) "Ibogaine", ibogaine and ibogaine-based therapeutics including, but not limited to,  
12 ibogaine analogs.

13 191.1616. 1. Subject to appropriation, the department shall award grants to conduct  
14 certified clinical drug development trials overseen by the United States Food and Drug  
15 Administration on the use of ibogaine for the treatment of opioid use disorder, co-occurring  
16 substance use disorder, or any other neurological or mental health condition for which ibogaine  
17 demonstrates efficacy. The department shall award grants only to an entity that satisfies all of  
18 the following:

19 (1) Is located within this state;

20 (2) Has a history of proven research and treatment of neurological diseases and expertise  
21 in substance dependence, emotional trauma, and physical or neurological trauma;

22 (3) Has a neurosurgery program with the requisite clinical and research facilities and that  
23 is:

24 (a) Staffed by professionals having expertise in the most challenging neurological and  
25 neurosurgical conditions; and

26 (b) Capable of providing the necessary infrastructure and expertise to deliver cardiac  
27 intensive care services;

28 (4) Has the ability to facilitate pioneering research and innovation in diagnosis and  
29 treatment of neurological conditions;

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1           (5) Has demonstrated to the department that the entity has a commitment for matching  
2 moneys of gifts, grants, and donations from sources other than this state in an amount equal to  
3 the amount to be awarded to conduct the certified clinical research study on the use of ibogaine  
4 for the treatment of neurological diseases; and

5           (6) Has signed an agreement with a consortium established by the government of another  
6 state within the United States, whether acting directly or through an agent or joint venture, that  
7 satisfies all of the following:

8           (a) Has submitted an investigational new drug (IND) application to the United States  
9 Food and Drug Administration in accordance with 21 CFR Part 312; and

10           (b) Has requested a breakthrough therapy designation for ibogaine from the United  
11 States Food and Drug Administration under 21 U.S.C. Section 356.

12           2. The department shall not disburse the funding authorized in this section to an  
13 applicant until the applicant receives and the department verifies the receipt of matching funds  
14 from sources other than the state.

15           3. (1) There is hereby created in the state treasury the "Ibogaine Study Fund", which  
16 shall consist of moneys appropriated to it by the general assembly and any gifts, contributions,  
17 grants, or bequests received from federal, private, or other sources. The state treasurer shall be  
18 custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may  
19 approve disbursements. The fund shall be a dedicated fund and, upon appropriation, moneys in  
20 this fund shall be used solely to award grants under this section.

21           (2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys  
22 remaining in the fund at the end of the biennium shall not revert to the credit of the general  
23 revenue fund.

24           (3) The state treasurer shall invest moneys in the fund in the same manner as other funds  
25 are invested. Any interest and moneys earned on such investments shall be credited to the fund.

26           191.1619. 1. An applicant selected to conduct ibogaine drug development clinical trials  
27 shall quarterly prepare and submit to the department:

28           (1) A report on the progress of the drug development clinical trials conducted under  
29 sections 191.1616 to 191.1622; and

30           (2) A financial status report, including information to verify expenditures of state funds  
31 and required matching funds.

32           2. The department shall submit a report to the general assembly on the progress of the  
33 drug development clinical trials conducted under sections 191.1616 to 191.1622 and the  
34 financial status of the trials before December first of each year.

35           191.1622. 1. There is hereby created in the state treasury the "Ibogaine Intellectual  
36 Property Fund", which shall consist of all revenue attributable to all intellectual property rights  
37 and other commercial rights that may arise from drug development clinical trials conducted by a  
38 multistate consortium under sections 191.1616 to 191.1622 during the period for which the trials

1 are funded and any following period of commercialization. The state treasurer shall be custodian  
2 of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve  
3 disbursements. The fund shall be a dedicated fund and, upon appropriation, moneys in this fund  
4 shall be used solely for programs that assist veterans or other at-risk populations in this state.

5 2. Notwithstanding the provisions of section 33.080 to the contrary, any moneys  
6 remaining in the fund at the end of the biennium shall not revert to the credit of the general  
7 revenue fund.

8 3. The state treasurer shall invest moneys in the fund in the same manner as other funds  
9 are invested. Any interest and moneys earned on such investments shall be credited to the fund.

10 4. For purposes of this section, intellectual property rights and other commercial rights  
11 arising from the drug development clinical trials conducted under sections 191.1616 to 191.1622  
12 include any of the following as related to the trials:

13 (1) Intellectual property, technology, and inventions;

14 (2) Patents, trademarks, and licenses;

15 (3) Proprietary and confidential information;

16 (4) Trade secrets, data, and databases;

17 (5) Tools, methods, and processes;

18 (6) Treatment models or techniques;

19 (7) Administration protocols; and

20 (8) Works of authorship.

21 191.1625. 1. This section applies only if ibogaine is approved by the United States Food  
22 and Drug Administration to treat a medical condition.

23 2. No person shall prescribe ibogaine for a patient except a physician licensed under  
24 chapter 334.

25 3. A physician licensed under chapter 334 shall supervise the administration of ibogaine  
26 at a hospital or other licensed health care facility to ensure the patient's safety while the patient is  
27 under the influence of ibogaine.

28 4. This section shall not preclude a physician from administering ibogaine in accordance  
29 with federal law.

30 191.1628. 1. If before implementing any provision of sections 191.1610 to 191.1628 a  
31 state agency determines that a waiver or authorization from a federal agency is necessary for  
32 implementation of that provision, the agency affected by the provision shall request the waiver  
33 or authorization and may delay implementing that provision until the waiver or authorization is  
34 granted.

35 2. The department shall begin accepting grant applications under section 191.1616  
36 before November 1, 2026."; and

37  
38 Further amend said bill by amending the title, enacting clause, and intersectional references

1 accordingly.