

1 AN ACT Relating to clinical and supervised access to psilocybin
2 by individuals 21 years of age or older; amending RCW 7.48.310,
3 69.50.101, 49.60.180, 18.130.010, 18.130.180, and 19.410.020;
4 reenacting and amending RCW 43.79A.040, 43.79A.040, and 18.130.040;
5 adding a new section to chapter 42.56 RCW; adding a new section to
6 chapter 15.130 RCW; adding a new chapter to Title 18 RCW; adding a
7 new chapter to Title 66 RCW; creating new sections; prescribing
8 penalties; providing an effective date; providing expiration dates;
9 and declaring an emergency.

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

11 **INTRODUCTORY SECTION**

12 NEW SECTION. **Sec. 1.** (1) The legislature finds that:

13 (a) Psilocybin has a low-risk profile when administered in a
14 context of supported adult use, in a controlled environment, and
15 under the supervision of a trained facilitator;

16 (b) Many individuals report having profound experiences after
17 taking psilocybin, creating lasting impressions and inspiring
18 positive change in their lives;

19 (c) Results from clinical trials reveal therapeutic
20 administration of psilocybin to be a promising practice for the

1 treatment of conditions such as substance use disorders,
2 posttraumatic stress disorder, treatment-resistant depression,
3 obsessive-compulsive disorders, and other serious maladies, with a
4 potential effect size many times larger than mainstream
5 pharmaceutical and clinical interventions, obtained with fewer side
6 effects, and much smaller long-term costs. These promising results
7 combined with the risk profile have led both Oregon and Colorado to
8 legalize regulated psilocybin services for adults 21 years and older
9 by ballot initiative;

10 (d) Based on informed speculation, the benefits of therapeutic
11 administration of psilocybin is likely to be particularly great when
12 paired with clinical services of a trained therapist who can assist a
13 person in preparing for, and integrating their experience with,
14 psilocybin; and

15 (e) Despite a recent proliferation of studies, the federal
16 government's classification of psilocybin as a Schedule I controlled
17 substance has stymied the creation of high quality large-scale
18 research studies into the risks and benefits of psilocybin, to
19 everyone's detriment.

20 (2) The legislature enacts this act for a threefold purpose:

21 (a) To provide adults in Washington with a regulated, safe means
22 of accessing psilocybin to be overseen by the department of health
23 using fully tested substances administered by licensed professionals;

24 (b) To provide a safe harbor for health professionals interested
25 in applying their clinical skills and new training to help clients
26 maximize the therapeutic benefit from safe use of psilocybin while
27 receiving protection from adverse licensure action within Washington
28 state based on the federal prohibitions; and

29 (c) To advance knowledge about the risks and benefits of the use
30 of psilocybin by facilitating research opportunities in the state of
31 Washington using clinical trials and by analysis of anonymized
32 aggregate data that may not be used to identify an individual person
33 without the person's consent.

34 NEW SECTION. **Sec. 2.** (1) The legislature finds that:

35 (a) Equity, access, and inclusion are important values to
36 consider for participation in the regulated psilocybin system and
37 participation as clients when the system is established;

38 (b) There is a special need for the potential benefits from
39 therapeutic use of psilocybin among historically disadvantaged

1 communities, economically disadvantaged communities, justice involved
2 communities, and communities that have been disproportionately
3 impacted by the war against drugs;

4 (c) Experience with legalization in Oregon and Colorado has shown
5 that the greatest barrier to participation in the psilocybin system
6 is high cost, engendered in part by the unavailability of insurance
7 coverage and the high cost of regulatory operations and regulatory
8 compliance in this new sector;

9 (d) It is not possible to effectively address equity, access, and
10 inclusion without addressing cost of services;

11 (e) Consciousness of cost is not incompatible with prudent regard
12 for the safety of psilocybin clients and the public; and

13 (f) While well-designed regulations enhance safety and consumer
14 confidence and promote reasonable and prudent precautions against
15 diversion of prohibited substances, overbearing regulation, however
16 well-meaning, increases costs for licensees and clients.

17 (2) Therefore, the legislature directs the department of health
18 and the liquor and cannabis board to consider the cost and complexity
19 of regulatory compliance when adopting regulations under this act,
20 and to enact rules that maximize flexibility and lower costs for
21 licensees and streamline the experience for clients as much as
22 possible, considering the comparatively small street value and lack
23 of toxicity of psilocybin, and maintaining due regard for client
24 safety.

25 NEW SECTION. **Sec. 3.** (1) Regulatory duties under this act are
26 divided between:

27 (a) The department of health, which must oversee the licensure of
28 facilitators, clinical facilitators, and service centers, and develop
29 rules relating to preparation, administration, and integration
30 sessions, including permissible locations for administration
31 sessions; and

32 (b) The liquor and cannabis board, which must oversee the
33 licensure of producers and laboratories and develop regulations
34 related to testing, tracking, packaging, and labeling of psilocybin
35 products.

36 (2) The department of health and the liquor and cannabis board
37 must collaborate closely in order to execute their duties under this
38 act in a consistent and cost-effective manner. The agencies may enter
39 memoranda of understanding or joint operating or enforcement

1 agreements when doing so would decrease the cost of regulation and
2 lessen the burden of regulatory compliance for licensees.

3 **DEPARTMENT OF HEALTH PROVISIONS**

4 NEW SECTION. **Sec. 4.** This act may be known and cited as the
5 clinical and supervised access to psilocybin act.

6 NEW SECTION. **Sec. 5.** This chapter may not be construed:

7 (1) To require a government medical assistance program or private
8 health insurer to reimburse a person for costs associated with the
9 administration of psilocybin;

10 (2) To prohibit a recipient of a federal grant or an applicant
11 for a federal grant from prohibiting the cultivation, production,
12 manufacture, delivery, possession, or use of psilocybin to the extent
13 necessary to satisfy federal requirements for the grant;

14 (3) To prohibit a party to a federal contract or a person
15 applying to be a party to a federal contract from prohibiting the
16 cultivation, production, manufacture, delivery, possession, or use of
17 psilocybin to the extent necessary to comply with the terms and
18 conditions of the contract or to satisfy federal requirements for the
19 contract; or

20 (4) To obstruct the enforcement of a federal law.

21 NEW SECTION. **Sec. 6.** The definitions in this section apply
22 throughout this chapter unless the context clearly requires
23 otherwise.

24 (1) "Administration session" means a session at which a client
25 consumes and experiences the effects of psilocybin under the guidance
26 and oversight of a facilitator or clinical facilitator.

27 (2) "Associate" means an associate facilitator or associate
28 clinical facilitator.

29 (3) "Associate clinical facilitator" means a person licensed by
30 the department as an associate clinical facilitator who is authorized
31 to provide all the functions of a clinical facilitator under the
32 supervision of an approved supervisor while accumulating the
33 necessary experience hours for licensure as a clinical facilitator.

34 (4) "Associate facilitator" means a person licensed by the
35 department as an associate facilitator who is authorized to perform
36 all the services of a facilitator under the supervision of an

1 approved supervisor while accumulating the necessary experience hours
2 for licensure as a facilitator.

3 (5) "Board" means the Washington psilocybin board established in
4 section 7 of this act.

5 (6) "Client" means an individual who is 21 years of age or older
6 who consumes or intends to consume psilocybin at an administration
7 session.

8 (7) "Clinical facilitator" means a person licensed by the
9 department as a clinical facilitator who is authorized by that
10 license to perform all the functions of either a facilitator or
11 clinical facilitator, and can provide client services alternatively
12 within their scope of practice as a clinical facilitator or within
13 the scope of practice created by their separate license as a health
14 professional.

15 (8) "Department" means the department of health.

16 (9) "Educational information" refers to information which must be
17 provided to a client before the client's first administration session
18 which may be provided during a preparation session with a facilitator
19 or clinical facilitator or by other means authorized by the
20 department in rule, such as through a video presentation approved by
21 the department.

22 (10) "Facilitator" means a person licensed by the department as a
23 facilitator who can independently prepare a client who presents a low
24 to moderate risk profile for an administration session, independently
25 supervise a client through an administration session, and guide the
26 client through an integration session.

27 (11) "Health professional" means a person licensed or certified
28 in the state of Washington as a: Physician; physician assistant;
29 osteopathic physician; naturopathic physician; registered nurse;
30 licensed practical nurse; advanced practice registered nurse;
31 emergency medical services provider; psychologist; social worker;
32 mental health counselor; marriage and family therapist; substance use
33 disorder professional; behavioral health support specialist;
34 pharmacist; certified counselor; certified advisor; certified
35 behavior technician; occupational therapist; licensed behavior
36 analyst; any person licensed or certified within any of the preceding
37 disciplines as an associate, assistant, or trainee; or any person
38 with a master's degree or further advanced degree in counseling or
39 one of the social sciences from an accredited college or university
40 who has at least two years of experience in direct treatment of

1 persons with mental illness, substance use disorder, or emotional
2 disturbance gained under the supervision of a mental health
3 professional recognized by the department of social and health
4 services or attested to by a licensed behavioral health agency.

5 (12) "Integration session" means an in-person or virtual meeting
6 between a client and a facilitator or clinical facilitator that must
7 be offered to all clients after the completion of an administration
8 session.

9 (13) "Preparation session" means a remote or in-person meeting
10 between a client and a facilitator or clinical facilitator before a
11 first administration session, which may be combined with the
12 administration session for clients who present low to moderate risk
13 and who have reviewed educational information relating to therapeutic
14 use of psilocybin with a trained individual or by use of a video
15 approved by the department.

16 (14) "Psilocybin" means naturally occurring psilocybin or
17 psilocin, and includes unadulterated products containing psilocybin-
18 producing fungi, such as dried mushrooms or ground mushroom powder
19 presented in capsules or by other means. This definition does not
20 prohibit preparations made during an administration session to make
21 consumption of psilocybin palatable, such as serving in a tea or
22 accompanied by other food or beverage products.

23 (15) "Psychedelic harm reduction integration" means a well-
24 established theory that delineates how a health professional can
25 apply the skills of their profession ethically and legally within
26 their scope of practice in the context of advising or treating a
27 patient who is contemplating therapeutic use of psilocybin, or
28 integrating lessons learned from the use of psilocybin by applying a
29 harm reduction approach.

30 (16) "Secretary" means the secretary of health appointed under
31 RCW 43.70.030.

32 (17) "Service center" means a location licensed by the department
33 where facilitators and clinical facilitators may hold administration
34 sessions with clients, and which can acquire, possess, transfer,
35 transport, deliver, supply, sell, or dispense psilocybin to
36 authorized entities or individuals.

37 (18) "Service center operator" means a person that operates a
38 service center.

39 (19) "Two-year program development period" means the period
40 beginning on September 1, 2025, and ending by September 1, 2027.

WASHINGTON PSILOCYBIN BOARD

NEW SECTION.

Sec. 7.

(1) The Washington psilocybin board is established within the department to provide advice and assistance to the department in administering this chapter. The board shall consist of six psilocybin facilitators and five public members.

(a) Until June 30, 2028, three of the facilitator members must at the time of their appointment be licensed or certified as a health professional as defined in this chapter. The department shall use its discretion to appoint individuals who have experience in facilitating experiences with psilocybin. Starting July 1, 2028, individuals in these three positions must be clinical facilitators licensed under this chapter.

(b) Until June 30, 2028, three of the facilitator members must be individuals who are not separately licensed or certified as a health professional as defined in this chapter. The department shall use its discretion to appoint individuals with experience in facilitating experiences with psilocybin. Starting July 1, 2028, the individuals holding these positions must be facilitators licensed under this chapter.

(c) The five public members must not be current or former licensees under this chapter.

(d) The 11 members of the board must include at least one person with expertise in public health, at least one person with knowledge of academic health research processes, at least one person with knowledge of indigenous practices and experiences, at least one BIPOC member, and at least four members with expertise in business, at least one of whom must have experience in business related to psilocybin. A member of the board is permitted to satisfy the requirements of more than one of these categories.

(2) Three members of the board shall be appointed for a term of one year, four members shall be appointed for a term of two years, and four members shall be appointed for a term of three years. Subsequent members shall be appointed for terms of three years. A person must not serve as a member of the board for more than two consecutive terms. After January 1, 2030, the department shall, by attrition, reduce the number of public members of the board from five to three.

(3) The secretary shall appoint the board members by September 1, 2025.

(4) The board may adopt rules necessary for its operation.

(5) The board may establish committees and subcommittees necessary to fulfill its functions.

(6) The members of the board may receive reimbursement or an allowance for expenses within amounts appropriated for that specific purpose consistent with RCW 43.03.220.

(7) The board must hold its first meeting by October 31, 2025, at a time and place specified by the department. During the two-year program development period, the board shall advise the department on formulation of rules to implement this chapter and meet on a schedule mutually agreed by the department and the board. Following the two-year development period, the board shall meet at least quarterly.

(8) Beginning January 1, 2028, the board and department shall receive periodic reports from the University of Washington center for novel therapeutics in addiction psychiatry concerning trends and developments revealed from research studies related to use of psilocybin and analysis of data collection about psilocybin use in Washington under this chapter upon a mutually agreed upon schedule. The department must apply this knowledge to update rules under this chapter as appropriate with the advice from the board.

PROTECTION OF CLIENT INFORMATION

NEW SECTION. **Sec. 8.** Service center operators, facilitators, clinical facilitators, or their employees may not disclose information that may be used to identify a client, or any communication made by a client during the course of providing psilocybin services or selling psilocybin products to the client, or any time thereafter, to any third party except:

(1) When the client or a person authorized to act on behalf of the client gives consent to the disclosure;

(2) As needed to share such information with the department as required by rule;

(3) When the client initiates legal action or makes a complaint against the service center operator, facilitator, clinical facilitator, or employee under this chapter;

(4) When the communication reveals the intent to commit a crime harmful to the client or others;

(5) When the communication reveals that a minor, elder, or dependent adult, may have been a victim of a crime or physical, sexual, or emotional abuse or neglect;

(6) When responding to an inquiry by the department made during the course of an investigation into the conduct of the service center operator, facilitator, clinical facilitator, or employee under this chapter; or

(7) As authorized in rules adopted by the department, which must not allow disclosure of identifying information to third parties without the consent of the client.

FACILITATORS, CLINICAL FACILITATORS, AND ASSOCIATES

NEW SECTION. **Sec. 9.** The secretary shall license an applicant as a facilitator if the applicant demonstrates to the satisfaction of the secretary that the applicant meets the following requirements:

(1) Successful completion of an approved facilitator training program including:

(a) A coursework requirement that may be provided either by in-person or remote learning or by asynchronous video or both; and

(b) An in-person practicum requirement consisting of at least 50 hours, no more than 10 of which may be in the form of videos or role play, and no more than 30 percent can be accomplished through personal experience, and no more than 20 hours consisting of passive observation in person, allowing the applicant to demonstrate skills in core competencies related to psilocybin facilitation;

(2) Successful completion of a supervised practice requirement under supervision of an approved supervisor consisting of a minimum of at least 200 hours, at least 60 hours of which must consist of direct one-on-one supervision or group supervision;

(3) Successful completion of an approved examination;

(4) To ensure accessibility, training, including practicum, must be permissible anywhere in the world; and

(5) Facilitator training must include information about cultural competence.

NEW SECTION. **Sec. 10.** (1) The secretary shall license an applicant as a clinical facilitator if the applicant demonstrates to the satisfaction of the secretary that the applicant meets the following requirements:

1 (a) Completion of all the requirements to be licensed as a
2 facilitator, including an enhanced examination that includes
3 principles of psychedelic harm reduction integration;

4 (b) Completion of an approved course on psychedelic harm
5 reduction integration; and

6 (c) At the time of licensure, the facilitator must hold a license
7 or certification in good standing as a health professional in
8 Washington state or a substantially equivalent credential issued by
9 another jurisdiction in the United States or abroad.

10 (2) The board, or the department acting upon advice or guidance
11 from the board, may reduce or waive the practicum or supervised
12 experience requirements, or both, under this section for an applicant
13 in consideration of prior experience in psilocybin facilitation that
14 is documented by, or attested to by, the applicant.

15 (3) The board or the department may reduce or waive educational
16 or testing requirements under this section for an applicant who holds
17 a credential in psilocybin facilitation from another state, or who
18 holds other recognized indications of education and training in
19 psilocybin facilitation.

20 NEW SECTION. **Sec. 11.** (1) Until January 1, 2029, the board may
21 waive the supervised practice requirement under section 9 of this act
22 for facilitator or clinical facilitator applicants who are determined
23 in the discretion of the board, or by the department acting on advice
24 or guidance from the board, to have acquired sufficient education and
25 experience to safely perform an administration session under this
26 chapter.

27 (2) Until January 1, 2030, the board may waive the requirement
28 for an approved supervisor to have two years of licensure under
29 section 13 of this act if the approved supervisor is determined in
30 the discretion of the board, or by the department acting on advice or
31 guidance from the board, to have acquired sufficient education and
32 experience to supervise associates.

33 (3) This section expires June 30, 2030.

34 NEW SECTION. **Sec. 12.** (1) By September 1, 2027, the department
35 must develop, or contract for the development of, a course for health
36 professionals to be made available at no cost through the
37 department's website enabling health professionals to learn
38 principles of how to apply their clinical skills to provide informed

1 counseling to clients who are contemplating engaging in therapeutic
2 use of psilocybin or who are integrating the lessons from an
3 experience in taking psilocybin for therapeutic purposes. The course
4 must include known information about risk factors, costs, and
5 benefits of the therapeutic use of psilocybin, and incorporate skills
6 and insights from the theory of psychedelic harm reduction
7 integration.

8 (2) The course must satisfy the educational requirements for
9 licensure as an associate clinical facilitator when taken in
10 conjunction with the training course for facilitators.

11 NEW SECTION. **Sec. 13.** (1) The secretary shall issue an
12 associate facilitator license or associate clinical facilitator
13 license to an applicant who demonstrates to the satisfaction of the
14 secretary that the applicant has met all requirements towards
15 licensure as a facilitator or clinical facilitator except for the
16 supervised experience requirement, and who submits a declaration that
17 the applicant is working toward full licensure.

18 (2) The associate facilitator or associate clinical facilitator
19 must disclose to each client, during the first professional contact,
20 their associate status and that they are working under the
21 supervision of an approved supervisor.

22 (3) An associate facilitator or associate clinical facilitator
23 may perform administration sessions and perform other duties
24 authorized by this chapter under the supervision of an approved
25 supervisor.

26 (4) An associate license may be renewed.

27 (5) An associate may work in paid employment in the psilocybin
28 sector in the capacity of a facilitator under the supervision of a
29 qualified supervisor.

30 (6) An approved supervisor must have two years of licensure as a
31 facilitator or clinical facilitator, or equivalent experience from
32 another jurisdiction as determined by the board or the department
33 acting on advice or guidance from the board, unless this requirement
34 is waived under section 11 of this act.

35 NEW SECTION. **Sec. 14.** (1) A facilitator or associate
36 facilitator who is not a clinical facilitator or associate clinical
37 facilitator must make conspicuous disclosures to a client describing:

1 (a) The limitations of the facilitator's or associate
2 facilitator's scope of practice; and

3 (b) That the facilitator or associate facilitator is not able to
4 provide therapy, counseling, or the services of any other health
5 profession requiring a license under Washington law.

6 (2) A facilitator or associate facilitator must disclose that the
7 facilitator's or associate facilitator's role is to guide the client
8 through an experience, with no guarantee of results. The facilitator
9 or associate facilitator must advise a client who wishes to receive
10 services beyond those within the facilitator or associate
11 facilitator's scope of practice to consult a clinical facilitator,
12 associate clinical facilitator, or another health professional. To
13 proceed, the client must provide written acknowledgment of the
14 client's understanding of the facilitator's or associate
15 facilitator's role.

16 (3) A clinical facilitator must make the following disclosures to
17 a client:

18 (a) Describe the other health care profession license or licenses
19 held by the clinical facilitator;

20 (b) Explain when the clinical facilitator or associate
21 facilitator is practicing within the scope of the clinical
22 facilitator's or associate facilitator's health care license, or
23 clinical facilitator license;

24 (c) Describe any relevant scope of practice limitations for the
25 license under which the clinical facilitator or associate clinical
26 facilitator is currently operating, with notification to the client
27 if this role changes; and

28 (d) Describe limitations on billing insurance when the clinical
29 facilitator is acting within the scope of their license as a clinical
30 facilitator instead of a license as a health care professional.

31 (4) A clinical facilitator may practice within the scope of
32 either of the clinical facilitator's licenses, including during the
33 same client session, but the clinical facilitator may not seek
34 insurance reimbursement for services provided under the clinical
35 facilitator's license as a health professional while simultaneously
36 facilitating an administration session in which a client ingests
37 psilocybin. Insurance reimbursement may be sought for services
38 provided during a preparation session or integration session while
39 the clinical facilitator is acting within the clinical facilitator's
40 scope of practice as a health professional.

1 NEW SECTION. **Sec. 15.** The department must offer an examination
2 for applicants for licensure as a facilitator or clinical facilitator
3 at least twice a year. An applicant who fails any part of the
4 examination may retake the failed section in accordance with rules
5 adopted by the department.

6 **AUTHORIZED LOCATIONS FOR PSILOCYBIN ADMINISTRATION**

7 NEW SECTION. **Sec. 16.** (1) A facilitator or clinical facilitator
8 may hold a psilocybin administration session in one of the following
9 locations:

10 (a) A service center licensed under this chapter;

11 (b) Any location licensed as a health care facility by the
12 department and registered under this chapter by a facilitator or
13 clinical facilitator as a location where administration sessions may
14 be performed;

15 (c) The regular place of business within the state of Washington
16 in which a clinical facilitator uses the clinical facilitator's
17 health professional license and that the clinical facilitator has
18 registered with the department as a location where an administration
19 session may be held by the clinical facilitator or a facilitator
20 working in tandem with the clinical facilitator. Registration shall
21 not affect the clinical facilitator's discretion to determine hours
22 of operation;

23 (d) The residence of a psilocybin services client; or

24 (e) A temporary location permitted by the department.

25 (2) Both individual and group administration sessions may be held
26 in all locations specified under subsection (1) of this section,
27 subject to available space. A group session under subsection (1)(c)
28 of this section is limited to up to two clients.

29 (3) The department may limit the number of administration
30 sessions authorized to be held within the residence of a single
31 psilocybin client to no more than six within a 12-month period. If an
32 administration session in a client's home involves a single
33 facilitator, the department may require the administration session to
34 be recorded for client safety.

35 (4) A permit issued by the department approving a temporary
36 location for holding an administration session under subsection
37 (1)(e) of this section must expire within six months and must

1 authorize no more than eight administration sessions to be held at
2 the temporary location within any 12-month period. The department
3 must develop a checklist of factors such as size, privacy,
4 permissions, control of the space, and other factors established by
5 rule to determine if the space is suitable for issuance of a permit
6 which may be documented or certified by the applicant. A permit may
7 be renewed if requirements for issuance continue to be met. The
8 department shall waive the limitations as to time and frequency when
9 issuing a temporary location permit for the purpose of a research
10 study related to psilocybin approved by the Washington state
11 institutional review board, University of Washington institutional
12 review board, or a similar oversight body, in which case the
13 conditions attached to the temporary location permit must be tailored
14 to the parameters of the research study.

15 NEW SECTION. **Sec. 17.** (1) The department must establish
16 procedures for licensure and rules for operation of service centers,
17 that must include, but not be limited to, the following:

18 (a) Requiring applicants for a service center operator license to
19 be 21 years of age or older;

20 (b) Allowing a service center to have any number of
21 administration areas in which an administration session may take
22 place;

23 (c) Requiring the service center to have a limited access area,
24 that may be secured by any reasonable means, for storage of
25 psilocybin;

26 (d) Allowing group administration sessions, subject to room
27 occupancy limits based on health and safety and a client-to-
28 facilitator ratio based on facilitator experience;

29 (e) Allowing outdoor administration sessions; and

30 (f) Allowing one or more third parties to attend an
31 administration session with the consent of all participating clients
32 and facilitators.

33 (2) A service center may use an administration session area for
34 any other purpose when the administration session area is not being
35 used for an administration session. A service center may use all
36 parts of its premises excluding the limited access area for other
37 legal purposes if such uses do not interfere with any administration
38 session taking place on the premises.

1 (3) License and registration fees adopted under this section may
2 not exceed, together with other fees collected under this chapter,
3 the cost of administering this chapter, and must be deposited in the
4 psilocybin facilitation control and regulation account established
5 under section 41 of this act.

6 **TRANSPORTATION OF PSILOCYBIN**

7 NEW SECTION. **Sec. 18.** (1) An employee of a service center who
8 is registered with the department may transport and deliver
9 psilocybin only to:

10 (a) A service center;

11 (b) A laboratory or cultivator licensed under chapter 66.--- RCW
12 (the new chapter created in section 109(2) of this act);

13 (c) A health care facility licensed by the department and
14 registered with the department as a location where administration
15 sessions may be performed;

16 (d) An entity conducting an approved research study related to
17 psilocybin that has obtained a temporary location permit from the
18 department; or

19 (e) A facilitator licensed under this chapter, provided the
20 delivery of the psilocybin is to a location directed by the
21 facilitator, and the facilitator must be present to receive the
22 psilocybin at the time of delivery.

23 (2) A facilitator may transport psilocybin to and from
24 administration session locations and locations where storage of
25 psilocybin is authorized under section 19 of this act.

26 (3) Nothing in this section shall be construed to authorize the
27 possession, sale, or delivery of psilocybin to a person who is under
28 21 years of age.

29 (4) No locality may prohibit the transportation of psilocybin
30 through its jurisdiction on public roads by an entity licensed or
31 registered under this chapter, or as otherwise allowed under this
32 chapter.

33 **STORAGE OF PSILOCYBIN**

34 NEW SECTION. **Sec. 19.** (1) Psilocybin regulated by this chapter
35 or chapter 66.--- RCW (the new chapter created in section 109(2) of
36 this act) may be stored at a service center, a cultivator or

laboratory licensed under chapter 66.--- RCW (the new chapter created in section 109(2) of this act), or in a limited access location at a health care facility licensed by the department and registered with the department as a location where an administration session may be held.

(2) A facilitator may temporarily store psilocybin in any container or enclosure that has a key lock or lock with a unique alphanumeric combination to access, or other receptacle capable of being secured when not in active use outside a location permitted in subsection (1) of this section, but only in a quantity no larger than necessary for use in holding an administration session or administration sessions to be conducted or supervised by the facilitator that are scheduled to occur within five business days.

(3) A clinical facilitator may temporarily store psilocybin within a limited access area at the regular place of business within the state of Washington in which the clinical facilitator uses the clinical facilitator's health care license and that is registered with the department as a location where an administration session may be held by the clinical facilitator or a facilitator working in tandem with the clinical facilitator, provided that the quantity is no larger than necessary for use in holding an administration session or administration sessions that are scheduled to occur within 10 business days.

PREREQUISITES FOR AN ADMINISTRATION SESSION

NEW SECTION. **Sec. 20.** (1) Before holding an administration session, a facilitator must:

- (a) Collect client information;
- (b) Make any disclosures and warnings required by rule;
- (c) Verify that the client has received and reviewed educational information and had the opportunity to have a preparation session if desired before the administration session; and
- (d) Make, verify, or confirm arrangements for safety contingencies and client transportation at the end of the session.

(2) If the client information reveals that the client is high risk for complications during the administration session as provided by rule, the facilitator may:

- (a) Problem solve with the client on how to mitigate risks that have been identified;

(b) Require the client to have additional preparation sessions before holding an administration session;

(c) If the facilitator is not a clinical facilitator, refer the client to a clinical facilitator or other health professional for counseling before holding an administration session; or

(d) Decline to hold an administration session with the client.

NEW SECTION. **Sec. 21.** All psilocybin clients must be offered an integration session after participating in an administration session, to be held within 72 hours and subject to requirements established in rule by the board and the department. An integration session may, but need not be, held at a service center and may be held in-person or remotely. An integration session must be documented by the facilitator.

POWERS OF THE DEPARTMENT OF HEALTH

NEW SECTION. **Sec. 22.** (1) A regulated psilocybin program is established in the department.

(2) The secretary may adopt rules necessary to implement this chapter. The rules adopted by the department shall include, but not be limited to:

(a) Establishing requirements for an administration session, including:

(i) The form and content of client information to be collected by the facilitator;

(ii) Procedures for reporting information to the department and storing this information;

(iii) Identification of risk factors which may require extra support for a client before participating in an administration session, along with follow-up options for the facilitator, and whether it is necessary to have exclusion factors which preclude an administration session;

(iv) The content of any required disclosures and warnings;

(v) The content of any educational information that must be received and reviewed by the client before an administration session, which may be received either through a meeting with a clinical facilitator or by viewing a video approved by the board or the department and made available before the administration session;

1 (vi) Procedures for holding and documenting completion of an
2 administration session;

3 (vii) Prohibitions on holding an administration session with a
4 participant who is visibly intoxicated;

5 (viii) Planning for safety contingencies and transportation for
6 the client when the administration session is complete;

7 (ix) Provisions for group administration sessions in which one or
8 more facilitators provide an administration session to more than one
9 participant as part of the same administration session; and

10 (x) Provisions that allow a facilitator or service center to
11 refuse to provide psilocybin services to a client;

12 (b) Establishing facilitator guidelines that include and promote:

13 (i) Facilitation skills that are affirming, nonjudgmental,
14 culturally competent, and nondirective;

15 (ii) The importance of client safety;

16 (iii) Consideration of the environment for the administration
17 session; and

18 (iv) A code of ethics and professional conduct for facilitators;

19 (c) Establishing requirements for issuing a temporary location
20 permit under section 16 of this act authorizing holding an
21 administration session in a location that is able to meet reasonable
22 health and safety requirements;

23 (d) Establishing requirements for an administration session that
24 is held within the residence of a client that advances best practices
25 and protects the health and safety of the client. This may include a
26 rule requiring a safety check of the premises by the facilitator and
27 recording of the administration session unless two or more licensed
28 facilitators are present;

29 (e) Establishing prerequisites and requirements for
30 administration sessions that are held at the regular place of
31 business of a clinical facilitator;

32 (f) Establishing requirements for integration sessions; and

33 (g) Establishing requirements for the operation of service
34 centers.

35 (3) The department may approve training courses for facilitators
36 and clinical facilitators. Facilitator training must be modular,
37 allowing the offering of comprehensive training programs and partial
38 training programs, so that a candidate may elect to piece together a
39 training curriculum among modules offered by different training
40 programs. The core curriculum may be offered in person or through

1 distance education, with the practical portion of the curriculum
2 completed in person.

3 (4) In making rules under this chapter the department may not:

4 (a) Require a client to be diagnosed with or have any particular
5 medical condition as a condition to being provided psilocybin
6 services; or

7 (b) Require a professional license or professional degree to
8 license an individual as a facilitator.

9 (5) The jurisdiction, supervision, duties, functions, and powers
10 held by the department under this section are not shared by the
11 pharmacy quality assurance commission under chapter 18.64 RCW.

12 NEW SECTION. **Sec. 23.** In adopting rules under this chapter, the
13 department must consult with:

14 (1) The University of Washington center for novel therapeutics in
15 addiction psychiatry, the research and data administration of the
16 department of social and health services, and the Washington state
17 institute for public policy concerning best practices for data
18 collection from psilocybin services clients that will:

19 (a) Protect personally identifiable information provided by
20 psilocybin services clients from disclosure to third parties,
21 including disclosures to state or federal law enforcement agencies,
22 except to the extent authorized by the client; and

23 (b) Maximize research opportunities to advance knowledge of
24 benefits, risks, and outcomes of psilocybin administration sessions
25 using deidentified information, and including consideration of the
26 possibility of soliciting voluntary or incentivized opt-in from
27 clients for enhanced information sharing for research purposes; and

28 (2) The liquor and cannabis board as provided under section 3 of
29 this act.

30 **TWO-YEAR PROGRAM DEVELOPMENT PERIOD**

31 NEW SECTION. **Sec. 24.** (1) By December 31, 2025, and from time
32 to time thereafter, the department must publish and distribute to the
33 public available medical, psychological, and scientific studies,
34 research, and other information relating to the safety and efficacy
35 of psilocybin in ameliorating behavioral health conditions including,
36 but not limited to, addiction, depression, anxiety disorders, and
37 end-of-life psychological distress.

(2) By October 31, 2027, the department shall adopt rules and establish forms necessary for the implementation of this chapter.

APPLICATION PROCESS AND LICENSES

NEW SECTION. **Sec. 25.** Beginning November 1, 2027, the department shall begin accepting applications for the licensing of persons to:

- (1) Operate a service center; and
- (2) Facilitate psilocybin services.

NEW SECTION. **Sec. 26.** (1) The department may establish procedures for licensure and renewal of licenses under this chapter.

(2) The department shall approve or deny an application to be licensed under this chapter without unreasonable delay.

NEW SECTION. **Sec. 27.** (1) The department may not license an applicant under this chapter if the applicant is under 21 years of age, nor may a licensee employ any person under 21 years of age at a premises for which a license has been issued under this chapter.

(2) The department may refuse to issue a license, or may issue a restricted license, to an applicant under this chapter if the department makes a finding that the applicant:

- (a) Has not completed required education or training;
- (b) Has not passed an examination required by the department;
- (c) Has made false statements to the department;
- (d) Demonstrates a lack of capacity or incompetency to carry on the management of the establishment proposed to be licensed;
- (e) 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;
- (f) Is not of good repute and moral character;
- (g) Does not have a good record of compliance with this chapter or any rule adopted under this chapter;
- (h) 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; or
- (i) Is unable to understand the laws of this state relating to psilocybin or the rules adopted under this chapter.

(3) In determining whether to issue a license or a restricted license to an applicant, the department 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 cultivation or manufacture of psilocybin or a cannabis item; or

(b) The possession of a controlled substance.

NEW SECTION. **Sec. 28.** For the purpose of requesting a state or nationwide criminal records check under RCW 18.130.064, the department may require the fingerprints of any individual listed on a licensure application. The powers conferred on the department under this section include the power to require the fingerprints of:

(1) If the applicant is a limited partnership, each general partner of the limited partnership;

(2) If the applicant is a manager-managed limited liability company, each manager of the limited liability company;

(3) If the applicant is a member-managed limited liability company, each voting member of the limited liability company;

(4) If the applicant is a corporation, each director and officer of the corporation; and

(5) Any individual who holds a financial interest of 10 percent or more in the person applying for the license.

NEW SECTION. **Sec. 29.** A license issued under this chapter:

(1) Is a personal privilege;

(2) Is renewable, except for a cause that would be grounds for refusal to issue the license;

(3) Is revocable or suspendable;

(4) Except for a license issued to a facilitator or clinical facilitator, is transferable from the premises for which the license was originally issued to another premises subject to the provisions of this chapter, applicable rules adopted under this chapter, and applicable local ordinances;

(5) If the license was issued to an individual, expires upon the death of the licensee, except as provided under section 39 of this act;

(6) Does not constitute property;

(7) Is not alienable;

(8) Is not subject to attachment or execution;

(9) Does not descend by the laws of testate or intestate devolution; and

(10) Does not grant the right to operate in conflict with local zoning ordinances and development regulations.

LICENSEES IN GENERAL

NEW SECTION. **Sec. 30.** Licensees and licensee representatives may deliver and possess psilocybin subject to this chapter. The delivery or possession of psilocybin by a licensee or a licensee representative in compliance with this chapter does not constitute a criminal or civil offense under the laws of this state.

NEW SECTION. **Sec. 31.** (1) A person may hold multiple service center operator licenses; and

(2) A person may hold both a cultivator license under chapter 66.--- RCW (the new chapter created in section 109(2) of this act) and a service center operator license at the same or different premises.

PSILOCYBIN SERVICES

NEW SECTION. **Sec. 32.** (1) A licensee or licensee representative who relies on information provided by a client before sale or service of psilocybin to a client may not be found guilty or civilly liable for any offense relating to the sale or service of the psilocybin unless it is demonstrated that a reasonable person would have determined that the responses provided by the client were incorrect or altered.

(2) A licensee or licensee representative may rely upon all statements, declarations, and representations made by a client unless it is demonstrated that:

(a) A reasonable person would have determined that one or more of the statements, declarations, and representations made by the client were incorrect or altered; or

(b) The licensee or licensee representative violated a provision of this chapter or a department rule relative to the client information.

(3) Except as provided in subsection (2) of this section, no licensee or licensee representative shall incur legal liability by

1 virtue of any untrue statements, declarations, or representations so
2 relied upon in good faith by the licensee or licensee representative.

3 NEW SECTION. **Sec. 33.** (1) Subject to other applicable law, a
4 licensee or licensee representative may refuse to provide psilocybin
5 services to a potential client for any or no reason.

6 (2)(a) Except as provided in (b) of this subsection, and subject
7 to other applicable law, a licensee or licensee representative may
8 cease providing psilocybin services to a client for any or no reason.

9 (b) A service center operator and a facilitator may not cease
10 providing psilocybin services to a client during an administration
11 session after the client has consumed psilocybin, except as
12 authorized by the department by rule, or as necessary in an
13 emergency.

14 **POWERS AND DUTIES OF THE DEPARTMENT OF HEALTH WITH RESPECT TO**
15 **LICENSEES**

16 NEW SECTION. **Sec. 34.** The department serves as the disciplinary
17 authority for this chapter under the uniform disciplinary act,
18 chapter 18.130 RCW, which governs unlicensed practice, the issuance
19 and denial of licenses, and the discipline of persons licensed under
20 this chapter, except as explicitly provided in this chapter or by
21 rules adopted by the department. The department must establish and
22 apply specific standards of practice and professional responsibility
23 tailored for individuals licensed by the department to facilitate
24 psilocybin services.

25 NEW SECTION. **Sec. 35.** (1) The department may, after 72 hours'
26 notice, make an examination of the books of a licensee for the
27 purpose of determining compliance with rules adopted under this
28 chapter.

29 (2) The department may at any time make an examination of a
30 premises for which a license has been issued under this chapter for
31 the purpose of determining compliance with rules adopted under this
32 chapter.

33 (3) The department may not require the books of a licensee to be
34 maintained on a premises of the licensee.

1 NEW SECTION. **Sec. 36.** The department may require a licensee to
2 maintain general liability insurance in an amount that the department
3 determines is both reasonably affordable and available for the
4 purpose of protecting the licensee against damages resulting from a
5 cause of action related to activities undertaken under the license
6 held by the licensee.

7 NEW SECTION. **Sec. 37.** In addition to any other disciplinary
8 action available to the department under chapter 18.130 RCW or this
9 chapter, the department may immediately restrict, suspend, or refuse
10 to renew a license issued under this chapter if it has probable cause
11 to conclude that a licensee has purchased or received psilocybin from
12 an unlicensed source or that a licensee has sold, stored, or
13 transferred psilocybin in a manner that is not permitted by the
14 licensee's license.

15 NEW SECTION. **Sec. 38.** (1) The department may require a licensee
16 or applicant for a license under this chapter to submit, in a form
17 and manner prescribed by the department, to the department a sworn
18 statement showing:

19 (a) The name and address of each person that has a financial
20 interest in the business operating or to be operated under the
21 license; and

22 (b) The nature and extent of the financial interest of each
23 person that has a financial interest in the business operating or to
24 be operated under the license.

25 (2) The department may refuse to issue, or may suspend, revoke,
26 or refuse to renew, a license issued under this chapter if the
27 department determines that a person that has a financial interest in
28 the business operating or to be operated under the license committed
29 or failed to commit an act that would constitute grounds for the
30 department to refuse to issue, or to suspend, revoke, or refuse to
31 renew, the license if the person were the licensee or applicant for
32 the license.

33 NEW SECTION. **Sec. 39.** The department may, by rule or order,
34 provide for the manner and conditions under which:

35 (1) Psilocybin left by a deceased, insolvent, or bankrupt person
36 or licensee, or subject to a security interest, may be foreclosed,
37 sold under execution, or otherwise disposed;

(2) The business of a deceased, insolvent, or bankrupt licensee may be operated for a reasonable period following the death, insolvency, or bankruptcy; or

(3) A secured party may continue to operate at a premises for which a license has been issued under this chapter for a reasonable period after default on the indebtedness by the debtor.

EMPLOYEES AND OTHER WORKERS

NEW SECTION. **Sec. 40.** An individual who performs work that involves direct contact with psilocybin for a licensee must be at least 21 years of age.

PSILOCYBIN FACILITATION CONTROL AND REGULATION ACCOUNT

NEW SECTION. **Sec. 41.** The psilocybin facilitation control and regulation account is created in the custody of the state treasurer. All receipts from fees collected and civil penalties issued under this chapter must be deposited into the account. Expenditures may be used only for the purpose of administration and enforcement of this chapter. Only the secretary or the secretary's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

PROHIBITED CONDUCT

NEW SECTION. **Sec. 42.** (1) A person may not produce any piece of identification in connection with psilocybin-related activities under this chapter that falsely indicates the person's age.

(2) Violation of this section is a class 1 civil infraction.

(3) If a piece of identification is offered as evidence in any administrative or criminal prosecution of a licensee or licensee representative for sale or service of psilocybin to a person under 21 years of age, the licensee or licensee representative is not guilty of any offense prohibiting a person from selling or serving psilocybin to a person under 21 years of age unless it is demonstrated that a reasonable person would have determined that the identification exhibited by the person under 21 years of age was altered, or that the identification exhibited by the person under 21

1 years of age did not accurately describe the person to whom the
2 psilocybin was sold or served.

3 **CIVIL ENFORCEMENT**

4 NEW SECTION. **Sec. 43.** For purposes of this chapter, subpoenas
5 issued by the department and its authorized agents must comply with
6 RCW 43.70.090.

7 NEW SECTION. **Sec. 44.** In addition to any other liability or
8 penalty provided by law, the department may impose for each violation
9 of a provision of this chapter or a rule adopted under this chapter a
10 civil penalty that does not exceed \$5,000 for each violation. The
11 department shall impose civil penalties under this section in the
12 manner provided by RCW 43.70.095. Money collected under this section
13 must be deposited in the psilocybin facilitation control and
14 regulation account.

15 **CRIMINAL ENFORCEMENT**

16 NEW SECTION. **Sec. 45.** Law enforcement officers of this state
17 may enforce this chapter and assist the department in detecting
18 violations of this chapter and apprehending offenders. A law
19 enforcement officer who has notice, knowledge, or reasonable ground
20 of suspicion of a violation of this chapter must immediately notify
21 the prosecuting attorney who has jurisdiction over the violation and
22 furnish the prosecuting attorney with names and addresses of any
23 witnesses to the violation or other information related to the
24 violation.

25 NEW SECTION. **Sec. 46.** Subject to chapter 7.80 RCW, violation of
26 a rule adopted under this chapter is a class 2 civil infraction.

27 **REGULATION BY CITIES AND COUNTIES OF PSILOCYBIN PRODUCTS**

28 NEW SECTION. **Sec. 47.** (1) This chapter is designed to operate
29 uniformly throughout the state and is paramount and superior to and
30 fully replaces and supersedes any municipal charter or local
31 ordinance inconsistent with this chapter.

(2) This section does not preclude or supersede local ordinances relating to the decriminalization of psilocybin or any other entheogens or the deprioritization of enforcement of criminal laws related to these substances.

NEW SECTION. **Sec. 48.** The authority to require a license for the manufacturing or sale of psilocybin in this state, or for the provision of psilocybin services in this state, is vested solely in the legislature.

NEW SECTION. **Sec. 49.** (1) The governing body of a city or county may adopt ordinances that impose reasonable regulations on the operation of businesses located at premises for which a license has been issued under this chapter or chapter 66.--- RCW (the new chapter created in section 109(2) of this act) if the premises are located in the area subject to the jurisdiction of the city or county.

(2) For purposes of this section, "reasonable regulations" includes:

(a) Reasonable conditions on the manner in which a psilocybin cultivator that holds a license issued under section 23 of this act may cultivate psilocybin;

(b) Reasonable conditions on the manner in which a service center operator may provide psilocybin services;

(c) Reasonable limitations on the hours during which a premises for which a license has been issued under this chapter or chapter 66.--- RCW (the new chapter created in section 109(2) of this act) may operate, but these limitations may not require a client to leave an administration session while under the effects of psilocybin; and

(d) Reasonable requirements related to the public's access to a premises for which a license has been issued under this chapter or chapter 66.--- RCW (the new chapter created in section 109(2) of this act).

(3) The governing body of a city or county may not prohibit the establishment of entities licensed under this chapter except in areas zoned primarily for residential use.

(4) The governing body of a city or county may not impose restrictions on licensees under this chapter or chapter 66.--- RCW (the new chapter created in section 109(2) of this act) that restrict the proximity of the licensee to a school or other specific entity or location.

(5) The governing body of a city or county that adopts an ordinance may not impose a tax or fee on the production or sale of psilocybin.

NEW SECTION. **Sec. 50.** (1) The authority to impose a tax or fee on the manufacturing or sale of psilocybin in this state, or on the provision of psilocybin services in this state, is vested solely in the legislature.

(2) A county, city, or other municipal corporation or district may not adopt or enact ordinances imposing a tax or fee on the production or sale of psilocybin in this state or on the provision of psilocybin services in this state, apart from taxes that are generally applicable.

POWERS AND DUTIES OF STATE AGENCIES AND OFFICERS AND THE GOVERNOR

NEW SECTION. **Sec. 51.** A person may not sue the department, or any employee of the department, for performing or omitting to perform any duty, function, or power of the entity set forth under this chapter or in any other law of this state requiring these entities to perform a duty, function, or power related to psilocybin products.

NEW SECTION. **Sec. 52.** Subject to RCW 10.105.010 and 69.50.505 and chapter 34.05 RCW, any state officer, board, commission, corporation, institution, department, or other state body, and any local officer, board, commission, institution, department, or other local government body, that is authorized by the laws of this state to perform a duty, function, or power with respect to psilocybin, may purchase, possess, seize, or dispose of the psilocybin as the state officer, board, commission, corporation, institution, department, or other state body, or the local officer, board, commission, institution, department, or other local government body, considers necessary to ensure compliance with and enforce the applicable law or any rule adopted under the applicable law.

NEW SECTION. **Sec. 53.** In case of invasion, disaster, insurrection, or riot, or imminent danger of invasion, disaster, insurrection, or riot, the governor may, for the duration of the invasion, disaster, insurrection, or riot, or imminent danger,

1 immediately and without notice suspend, in the area involved, any
2 license or permit issued under this chapter.

3 **CLIENT BILL OF RIGHTS**

4 NEW SECTION. **Sec. 54.** Clients receiving psilocybin services in
5 Washington must:

6 (1) Be treated with dignity and respect while receiving
7 psilocybin services;

8 (2) Receive culturally competent care;

9 (3) Be free from physical, sexual, psychological, and financial
10 abuse before, during, and after receiving psilocybin services;

11 (4) Be fully informed of, and helped to understand, the risks
12 associated with psilocybin services;

13 (5) Make decisions autonomously, free of coercion and undue
14 influence;

15 (6) Be provided privacy and confidentiality;

16 (7) Be allowed to decline to share information with third
17 parties, except as required by law;

18 (8) Be provided a full accounting and explanation of all
19 facilitator conflicts of interest and the costs associated with
20 receiving psilocybin services before receiving those services;

21 (9) Have their belongings stored securely while receiving
22 psilocybin services;

23 (10) Be monitored and supported by a licensed facilitator for the
24 duration of psilocybin services until it is safe for the client to be
25 transported home, transferred to the care of a responsible friend or
26 family member, or released on their own recognizance;

27 (11) Access services that are welcoming to people with
28 disabilities;

29 (12) Be able to discuss this section with licensed facilitators
30 and service center operators without facing discrimination or
31 retaliation; and

32 (13) Be able to report violations of this section to the
33 Washington department of health, or other appropriate governing body,
34 without facing discrimination or retaliation.

35 **OTHER PROVISIONS**

1 NEW SECTION. **Sec. 55.** (1) A physician, physician assistant,
2 advanced practice registered nurse, psychologist, social worker,
3 mental health counselor, marriage and family therapist, or other
4 health professional as defined under section 6 of this act, shall not
5 be subject to arrest, prosecution, or penalty in any manner, or
6 denied any right or privilege including, but not limited to, civil
7 penalty or disciplinary action by the department, the Washington
8 medical commission, or any other business or occupational or
9 professional licensing board or bureau, solely for advising or
10 counseling a person relating to use of psilocybin, or for stating
11 that, in the person's professional opinion, a patient is likely to
12 receive therapeutic or palliative benefit from the use of psilocybin
13 to alleviate the patient's medical or behavioral health condition or
14 associated symptoms. Nothing in this section prevents a professional
15 licensing board from sanctioning a professional for failing to
16 properly evaluate a patient's medical or behavioral health condition
17 or otherwise violating the standard of care for evaluating medical or
18 behavioral health conditions.

19 (2) A client of a service center is not subject to arrest,
20 prosecution, or penalty in any manner, or denied any right or
21 privilege including, but not limited to, civil penalty or
22 disciplinary action by a business or occupational or professional
23 licensing board or bureau, or parental custody or privileges related
24 to parental custody, merely for the use of psilocybin in accordance
25 with this chapter.

26 (3) A caregiver is not subject to arrest, prosecution, or penalty
27 in any manner, or denied any right or privilege including, but not
28 limited to, civil penalty or disciplinary action by a business or
29 occupational or professional licensing board or bureau, for assisting
30 a qualifying patient to whom the primary caregiver is connected with
31 the use of psilocybin in accordance with this chapter.

32 NEW SECTION. **Sec. 56.** An employer in the state of Washington
33 may not discriminate against an employee for receiving psilocybin
34 services as sanctioned under this chapter absent the employee's
35 visible impairment at work and may not test an employee for the
36 presence of psilocybin unless they exhibit clear, observable symptoms
37 of impairment.

NEW SECTION. **Sec. 57.** This chapter may not be construed:

(1) To prohibit a recipient of a federal grant or an applicant for a federal grant from prohibiting the cultivation, production, manufacture, delivery, possession, or use of psilocybin to the extent necessary to satisfy federal requirements for the grant;

(2) To prohibit a party to a federal contract or a person applying to be a party to a federal contract from prohibiting the cultivation, production, manufacture, delivery, possession, or use of psilocybin to the extent necessary to comply with the terms and conditions of the contract or to satisfy federal requirements for the contract; or

(3) To obstruct the enforcement of a federal law.

NEW SECTION. **Sec. 58.** The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Board" means the liquor and cannabis board.

(2) "Cultivation" means the planting, cultivation, growing, harvesting, production, preparation, propagation, or processing of psilocybin, and includes any packaging or repackaging of the psilocybin or labeling or relabeling of its container.

(3) "Cultivator" means a person licensed in Washington to cultivate and produce psilocybin.

(4) "Department" means the department of health.

(5) "Facilitator" means a person licensed by the department as a facilitator, associate facilitator, clinical facilitator, or associate clinical facilitator under chapter 18.--- RCW (the new chapter created in section 109(1) of this act).

(6) "Laboratory" means an entity licensed under this chapter to test psilocybin.

(7) "Psilocybin" has the same meaning as in section 6 of this act.

(8) "Service center" has the same meaning as in section 6 of this act.

(9) "Service center operator" has the same meaning as in section 6 of this act.

(10) "Two-year program development period" means the period beginning September 1, 2025, and ending September 1, 2027.

TRANSPORTATION OF PSILOCYBIN

NEW SECTION. **Sec. 59.** (1) An employee of a service center, or an employee of a cultivator or laboratory, may transport and deliver psilocybin only to:

(a) A service center;

(b) A laboratory or cultivator;

(c) A health care facility licensed by the department and registered with the department as a location where administration sessions may be performed;

(d) An entity conducting an approved research study related to psilocybin that has obtained a temporary location permit from the department; or

(e) A facilitator, if the delivery of the psilocybin is to a location directed by the facilitator and the facilitator is present to receive the psilocybin at the time of delivery.

(2) Rules adopted under this chapter must not prohibit a facilitator from transporting psilocybin to and from administration session locations and locations where storage of psilocybin is authorized under section 19 of this act.

(3) Nothing in this section shall be construed to authorize the possession, sale, or delivery of psilocybin to a person who is under 21 years of age.

(4) No locality may prohibit the transportation of psilocybin through its jurisdiction on public roads by an entity licensed or registered under this chapter, or as otherwise allowed under this chapter.

STORAGE OF PSILOCYBIN

NEW SECTION. **Sec. 60.** Psilocybin regulated by this chapter may be stored at:

(1) A service center, cultivator, or laboratory;

(2) As permitted in chapter 18.--- RCW (the new chapter created under section 109(1) of this act), in a limited access location at a health care facility licensed by the department and registered with the department as a location where an administration session may be held; or

(3) As permitted under chapter 18.--- RCW (the new chapter created in section 109(1) of this act), by a facilitator.

POWERS OF THE LIQUOR AND CANNABIS BOARD

1 NEW SECTION. **Sec. 61.** (1) A regulated psilocybin program is
2 established in the board.

3 (2) Subject to subsection (4) of this section, the board may
4 adopt rules necessary to implement this chapter. The rules shall
5 include, but not be limited to:

6 (a) Establishing procedures for tracking psilocybin from the
7 point of manufacture to the point of sale to a client of a
8 facilitator, clinical facilitator, or service center, that includes
9 any intermediate sale or purchases between licensees, transfers, and
10 other activities permitted by this chapter, to prevent diversion of
11 psilocybin to other states or unauthorized users, protect products
12 from tampering or substitution, and ensure compliance with other
13 rules adopted under this chapter; and

14 (b) Establishing labeling requirements for psilocybin that
15 require labels that are nondeceptive, would not be visually appealing
16 to children, and clearly and accurately indicate the contents of any
17 container for psilocybin.

18 (3) The rules may not:

19 (a) Require that a psilocybin product be produced by means of
20 chemical synthesis;

21 (b) Prohibit the use of naturally grown mushrooms that meet
22 quality and safety standards; or

23 (c) Mandate the use of patented products or procedures.

24 (4) In adopting rules under this chapter, the board must consult
25 with:

26 (a) The department as provided in section 3 of this act; and

27 (b) The department of agriculture on rules relating to the
28 cultivation and testing of psilocybin.

29 NEW SECTION. **Sec. 62.** The jurisdiction, supervision, duties,
30 functions, and powers held by the board under this section are not
31 shared by the pharmacy quality assurance commission under chapter
32 18.64 RCW.

33 **TWO-YEAR PROGRAM DEVELOPMENT PERIOD**

34 NEW SECTION. **Sec. 63.** By October 31, 2027, the board must adopt
35 rules and establish forms necessary for the implementation of this
36 chapter.

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(g) Is unable to understand the laws or the rules relating to psilocybin.

(3) In determining whether to issue a license or a restricted license to an applicant, the board 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 cultivation of psilocybin or the manufacture of a cannabis item; or

(b) The possession of a controlled substance.

NEW SECTION. Sec. 67. A license issued under this chapter:

(1) Is renewable, except for a cause that would be grounds for refusal to issue the license;

(2) Is revocable or suspendable;

(3) Is transferable from the premises for which the license was originally issued to another premises subject to the provisions of this chapter, applicable rules adopted under this chapter, and applicable local ordinances;

(4) Does not constitute property;

(5) Is not alienable;

(6) Is not subject to attachment or execution;

(7) Does not descend by the laws of testate or intestate devolution; and

(8) Does not grant the right to operate in conflict with local zoning ordinances and development regulations.

LICENSEES IN GENERAL

NEW SECTION. Sec. 68. Licensees and licensee representatives may cultivate, deliver, and possess psilocybin subject to this chapter. The cultivation, delivery, or possession of psilocybin by a licensee or a licensee representative in compliance with this chapter does not constitute a criminal or civil offense under the laws of this state.

NEW SECTION. Sec. 69. (1) A person may hold multiple licenses.

(2) A person may hold both a cultivator license and a service center operator license at the same or different premises.

1 **LICENSE TO CULTIVATE PSILOCYBIN**

2 NEW SECTION. **Sec. 70.** (1) The cultivation of psilocybin is
3 subject to regulation by the board.

4 (2) A cultivator must have a cultivator license issued by the
5 board for the premises at which the psilocybin is cultivated.

6 (3) If the applicant is not the owner of the premises at which
7 the psilocybin is to be cultivated, the applicant must submit to the
8 board signed informed consent from the owner of the premises to
9 cultivate psilocybin at the premises.

10 (4) The board shall adopt rules that require cultivated
11 psilocybin to be tested in accordance with section 90 of this act.

12 (5) Licensure fees may not exceed, together with other fees
13 collected under this chapter, the cost of administering this chapter,
14 and must be deposited in the psilocybin cultivation and testing
15 control and regulation account under section 78 of this act.

16 **POWERS AND DUTIES OF THE BOARD WITH RESPECT TO LICENSEES**

17 NEW SECTION. **Sec. 71.** The board serves as the disciplinary
18 authority for this chapter.

19 NEW SECTION. **Sec. 72.** (1) The board may, after 72 hours'
20 notice, make an examination of the books of a licensee to determine
21 compliance with rules adopted under this chapter.

22 (2) The board may at any time make an examination of a premises
23 for which a license has been issued under this chapter for the
24 purpose of determining compliance with rules adopted under this
25 chapter.

26 (3) The board may not require the books of a licensee to be
27 maintained on a premises of the licensee.

28 NEW SECTION. **Sec. 73.** The board may require a licensee to
29 maintain general liability insurance in an amount that the board
30 determines is both reasonably affordable and available to protect the
31 licensee against damages resulting from a cause of action related to
32 activities undertaken under the license held by the licensee.

33 NEW SECTION. **Sec. 74.** The board may immediately restrict,
34 suspend, or refuse to renew a license issued under this chapter if it

1 has probable cause to conclude that a licensee has purchased or
2 received psilocybin from an unlicensed source or that a licensee has
3 sold, stored, or transferred psilocybin in a manner that is not
4 permitted by the licensee's license.

5 NEW SECTION. **Sec. 75.** (1) The board may require a licensee or
6 applicant for a license under this chapter to submit, in a form and
7 manner prescribed by the department, to the department a sworn
8 statement showing:

9 (a) The name and address of each person that has a financial
10 interest in the business operating or to be operated under the
11 license; and

12 (b) The nature and extent of the financial interest of each
13 person that has a financial interest in the business operating or to
14 be operated under the license.

15 (2) The board may refuse to issue, or may suspend, revoke, or
16 refuse to renew, a license issued under this chapter if the board
17 determines that a person that has a financial interest in the
18 business operating or to be operated under the license committed or
19 failed to commit an act that would constitute grounds for the
20 department to refuse to issue, or to suspend, revoke, or refuse to
21 renew, the license if the person were the licensee or applicant for
22 the license.

23 NEW SECTION. **Sec. 76.** The board may provide for the manner and
24 conditions under which:

25 (1) Psilocybin left by a deceased, insolvent, or bankrupt person
26 or licensee, or subject to a security interest, may be foreclosed,
27 sold under execution, or otherwise disposed;

28 (2) The business of a deceased, insolvent, or bankrupt licensee
29 may be operated for a reasonable period following the death,
30 insolvency, or bankruptcy; or

31 (3) A secured party may continue to operate at a premises for
32 which a license has been issued under this chapter for a reasonable
33 period after default on the indebtedness by the debtor.

34 **EMPLOYEES AND OTHER WORKERS**

1 NEW SECTION. **Sec. 77.** An individual who performs work that
2 involves direct contact with psilocybin for a licensee must be at
3 least 21 years of age.

4 **PSILOCYBIN CULTIVATION AND TESTING CONTROL AND REGULATION ACCOUNT**

5 NEW SECTION. **Sec. 78.** The psilocybin cultivation and testing
6 control and regulation account is created in the custody of the state
7 treasurer. All receipts from fees collected and civil penalties
8 issued under this chapter must be deposited into the account.
9 Expenditures may be used only for the purpose of administration and
10 enforcement of this chapter. Only the secretary of the department or
11 the secretary's designee may authorize expenditures from the account.
12 The account is subject to allotment procedures under chapter 43.88
13 RCW, but an appropriation is not required for expenditures.

14 **CIVIL ENFORCEMENT**

15 NEW SECTION. **Sec. 79.** For purposes of this chapter, subpoenas
16 issued by the board and its authorized agents must comply with RCW
17 43.70.090.

18 NEW SECTION. **Sec. 80.** In addition to any other liability or
19 penalty provided by law, the board may impose for each violation of a
20 provision of this chapter or a rule adopted under this chapter a
21 civil penalty up to \$5,000 for each violation. The board must impose
22 civil penalties under this section in the manner provided by RCW
23 43.70.095. Money collected under this section must be deposited in
24 the psilocybin cultivation and testing control and regulation
25 account.

26 **CRIMINAL ENFORCEMENT**

27 NEW SECTION. **Sec. 81.** Law enforcement officers of this state
28 may enforce this chapter and assist the department in detecting
29 violations of this chapter and apprehending offenders. A law
30 enforcement officer who has notice, knowledge, or reasonable ground
31 of suspicion of a violation of this chapter must immediately notify
32 the prosecuting attorney who has jurisdiction over the violation and
33 furnish the prosecuting attorney with names and addresses of any

witnesses to the violation or other information related to the violation.

NEW SECTION. **Sec. 82.** The county courts, prosecuting attorneys, and municipal authorities, immediately upon the conviction of a licensee of a violation of this chapter, or of a violation of any other law of this state or of a city or county located in this state an element of which is the possession, delivery, or cultivation of psilocybin, must notify the department of the conviction.

NEW SECTION. **Sec. 83.** Subject to chapter 7.80 RCW, a violation of a rule adopted under this chapter is a class 2 civil infraction.

POWERS AND DUTIES OF STATE AGENCIES AND OFFICERS AND THE GOVERNOR

NEW SECTION. **Sec. 84.** The department of agriculture must assist and cooperate with the department to the extent necessary for the department to carry out the duties under this chapter.

NEW SECTION. **Sec. 85.** The department of agriculture may possess, test, and dispose of psilocybin products.

NEW SECTION. **Sec. 86.** A person may not sue the board, a member of the board, the department of agriculture, or any employee of these entities for performing or omitting to perform any duty, function, or power of the entity set forth under this chapter or in any other law of this state requiring these entities to perform a duty, function, or power related to psilocybin products.

NEW SECTION. **Sec. 87.** Subject to RCW 10.105.010 and 69.50.505 and chapter 34.05 RCW, any state officer, board, commission, corporation, institution, department, or other state body, and any local officer, board, commission, institution, department, or other local government body, that is authorized by the laws of this state to perform a duty, function, or power with respect to psilocybin, may purchase, possess, seize, or dispose of the psilocybin as the state officer, board, commission, corporation, institution, department, or other state body, or the local officer, board, commission, institution, department, or other local government body, considers

1 necessary to ensure compliance with and enforce the applicable law or
2 any rule adopted under the applicable law.

3 NEW SECTION. **Sec. 88.** In case of invasion, disaster,
4 insurrection, or riot, or imminent danger of invasion, disaster,
5 insurrection, or riot, the governor may, for the duration of the
6 invasion, disaster, insurrection, or riot, or imminent danger,
7 immediately and without notice suspend, in the area involved, any
8 license or permit issued under this chapter.

9 **OTHER PROVISIONS**

10 NEW SECTION. **Sec. 89.** (1) The department of agriculture may not
11 exercise authority over psilocybin or a licensee, except as provided
12 by the department in rule.

13 (2) In exercising its authority under chapter 15.130 RCW, the
14 department of agriculture may not:

15 (a) Establish standards for psilocybin as a food additive, as
16 defined under RCW 15.130.110;

17 (b) Consider psilocybin to be an adulterant, unless the
18 concentration of psilocybin exceeds acceptable levels established by
19 the department by rule; or

20 (c) Apply or enforce RCW 15.130.200 through 15.130.230 to
21 psilocybin.

22 **TESTING OF PSILOCYBIN**

23 NEW SECTION. **Sec. 90.** (1) As is necessary to protect the public
24 health and safety, and in consultation with the department of
25 agriculture, the board must adopt rules:

26 (a) Establishing standards for testing psilocybin;

27 (b) Identifying appropriate tests for psilocybin, depending on
28 the type of psilocybin and the manner in which the psilocybin was
29 cultivated, that are necessary to protect the public health and
30 safety, which may include, but not be limited to, tests for:

31 (i) Microbiological contaminants;

32 (ii) Pesticides;

33 (iii) Other contaminants;

34 (iv) Solvents or residual solvents; and

35 (v) Psilocybin concentration;

1 (c) Establishing procedures for determining batch sizes and for
2 sampling psilocybin; and

3 (d) Establishing different minimum standards for different
4 varieties of psilocybin.

5 (2) In addition to the testing requirements established under
6 subsection (1) of this section, the board may require psilocybin to
7 be tested in accordance with any applicable law of this state, or any
8 applicable rule adopted under a law of this state, related to the
9 production and processing of food products or commodities.

10 (3) In adopting rules under this chapter, the board may require a
11 cultivator that holds a license under this chapter to test psilocybin
12 before selling or transferring the psilocybin.

13 (4) The board may conduct random testing of psilocybin for the
14 purpose of determining whether a licensee subject to testing under
15 subsection (3) of this section is in compliance with this section.

16 (5) In adopting rules to implement this section, the board may
17 not require a psilocybin product to undergo the same test more than
18 once unless the psilocybin product is processed into a different type
19 of psilocybin product or the condition of the psilocybin product has
20 fundamentally changed.

21 (6) The testing of psilocybin as required by this section must be
22 conducted by a laboratory licensed by the board under this chapter
23 and accredited by the department under this chapter.

24 (7) In adopting rules under subsection (1) of this section, the
25 board:

26 (a) Must consider the cost of a potential testing procedure and
27 how that cost will affect the cost to the ultimate client; and

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

30 NEW SECTION. **Sec. 91.** (1) A laboratory that conducts testing of
31 psilocybin must be licensed by the board to operate at the premises
32 at which the psilocybin is tested.

33 (2) For purposes of this section, the board must adopt rules
34 establishing:

35 (a) Qualifications to be licensed under this section, including
36 that an applicant for licensure under this section must be accredited
37 by the department;

38 (b) Processes for applying for and renewing a license under this
39 section;

(c) Fees for applying for, receiving, and renewing a license under this section; and

(d) Procedures for:

(i) Tracking psilocybin to be tested;

(ii) Documenting and reporting test results; and

(iii) Disposing of samples of psilocybin that have been tested.

(3) A license issued under this section must be renewed annually.

(4) The board may inspect a premises licensed under this section to ensure compliance with this chapter and rules adopted by the board.

(5) Fees adopted under this section must be reasonably calculated to pay the expenses incurred by the board under this chapter.

(6) Fees collected under this section must be deposited in the psilocybin cultivation and testing control and regulation account.

NEW SECTION. **Sec. 92.** (1) In addition to any other liability or penalty provided by law, the board may impose upon a laboratory licensed under this chapter that violates the law or a rule established under this chapter a civil penalty that does not exceed \$500 for each day that the violation occurs.

(2) The board shall impose civil penalties under this section in the manner provided by RCW 43.70.095.

(3) Money collected under this section must be deposited in the psilocybin cultivation and testing control and regulation account.

PACKAGING, LABELING, AND DOSAGE OF PSILOCYBIN PRODUCTS

NEW SECTION. **Sec. 93.** (1) As is necessary to protect the public health and safety, and in consultation with the department of agriculture and department, the board must adopt rules establishing standards for the labeling of psilocybin including, but not limited to:

(a) Ensuring that products have labeling that communicates:

(i) Health and safety warnings;

(ii) If applicable, activation time;

(iii) Potency;

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

(v) 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) The board must require all psilocybin provided for sale or transferred to a service center 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 board:

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

(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.

(4) In adopting rules under this section, the board must allow for a facilitator to consult with the facilitator's client to work out a dosage that is appropriate for the client. The board may not impose a maximum dosage of psilocybin that is less than 50 milligrams or the equivalent in grams of dried mushroom.

NEW SECTION. **Sec. 94.** (1) The board may by rule require a licensee to submit a label or packaging intended for use on a psilocybin product for preapproval by the board before the licensee may sell or transfer a psilocybin product bearing the label or packaging.

(2) The board may impose a fee for submitting a label or packaging for preapproval under this section that is reasonably calculated to not exceed the cost of administering this section.

NEW SECTION. **Sec. 95.** (1) As is necessary to protect the public health and safety, and in consultation with the department of agriculture and the department, the board must adopt rules establishing standards for the packaging of psilocybin including, but not limited to, ensuring that psilocybin is not marketed in a manner that:

(a) Is untruthful or misleading; or

(b) Otherwise creates a significant risk of harm to public health and safety.

(2) In adopting rules under this chapter, the board must require all psilocybin sold by or transferred by a service center to be packaged 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 board:

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

(b) May consider the effect on the environment of requiring certain packaging;

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

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

NEW SECTION. **Sec. 96.** (1) The board must adopt rules establishing:

(a) The maximum concentration of psilocybin that is permitted in a single serving of a psilocybin product; and

(b) The number of servings that are permitted in a psilocybin package.

(2) In adopting rules under this chapter, the board must require all psilocybin sold or transferred by a licensee under this chapter to meet the concentration standards and packaging standards adopted by rule under this section.

NEW SECTION. **Sec. 97.** A new section is added to chapter 42.56 RCW to read as follows:

(1) Subject to subsection (2) of this section, information is exempt from public disclosure under this chapter if the information is:

(a) Personally identifiable information;

(b) The address of a premises for which a license has been issued or for which an applicant has proposed licensure under this chapter;

(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 this chapter; or

(d) Related to any record that the department 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.

(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.

Sec. 98. RCW 7.48.310 and 2009 c 200 s 3 are each amended to read as follows:

For the purposes of RCW 7.48.305 only:

(1) "Agricultural activity" means a condition or activity which occurs on a farm in connection with the commercial production of farm products and includes, but is not limited to, marketed produce at roadside stands or farm markets; noise; odors; dust; fumes; operation of machinery and irrigation pumps; movement, including, but not limited to, use of current county road ditches, streams, rivers, canals, and drains, and use of water for agricultural activities; ground and aerial application of seed, fertilizers, conditioners, and plant protection products; keeping of bees for production of agricultural or apicultural products; the cultivation of psilocybin as defined under section 6 of this act; employment and use of labor; roadway movement of equipment and livestock; protection from damage by wildlife; prevention of trespass; construction and maintenance of buildings, fences, roads, bridges, ponds, drains, waterways, and similar features and maintenance of stream banks and watercourses; and conversion from one agricultural activity to another, including a change in the type of plant-related farm product being produced. The term includes use of new practices and equipment consistent with technological development within the agricultural industry.

1 (2) "Farm" means the land, buildings, freshwater ponds,
2 freshwater culturing and growing facilities, and machinery used in
3 the commercial production of farm products.

4 (3) "Farmland" means land or freshwater ponds devoted primarily
5 to the production, for commercial purposes, of livestock, freshwater
6 aquacultural, or other farm products. "Farmland" includes the
7 premises in which psilocybin as defined under section 6 of this act
8 is cultivated.

9 (4) "Farm product" means those plants and animals useful to
10 humans and includes, but is not limited to, forages and sod crops,
11 dairy and dairy products, poultry and poultry products, livestock,
12 including breeding, grazing, and recreational equine use, fruits,
13 vegetables, flowers, seeds, grasses, trees, freshwater fish and fish
14 products, apiaries and apiary products, psilocybin as defined under
15 section 6 of this act, equine and other similar products, or any
16 other product which incorporates the use of food, feed, fiber, or
17 fur.

18 (5) "Forest practice" means any activity conducted on or directly
19 pertaining to forestland, as that term is defined in RCW 76.09.020,
20 and relating to growing, harvesting, or processing timber. The term
21 "forest practices" includes, but is not limited to, road and trail
22 construction, final and intermediate harvesting, precommercial
23 thinning, reforestation, fertilization, prevention and suppression of
24 diseases and insects, salvage of trees, brush control, and owning
25 land where trees may passively grow until one of the preceding
26 activities is deemed timely by the owner.

27 NEW SECTION. Sec. 99. A new section is added to chapter 15.130
28 RCW to read as follows:

29 (1) In exercising its authority under this chapter, the
30 department may not:

31 (a) Establish standards for psilocybin as a food additive;

32 (b) Consider psilocybin to be an adulterant, unless the
33 concentration of psilocybin exceeds acceptable levels established by
34 the department of health by rule; or

35 (c) Apply or enforce RCW 15.130.200 through 15.130.230 to
36 psilocybin.

37 (2) For the purpose of this section, "psilocybin" has the same
38 meaning as defined under section 6 of this act.

1 **Sec. 100.** RCW 69.50.101 and 2024 c 62 s 17 are each amended to
2 read as follows:

3 The definitions in this section apply throughout this chapter
4 unless the context clearly requires otherwise.

5 (1) "Administer" means to apply a controlled substance, whether
6 by injection, inhalation, ingestion, or any other means, directly to
7 the body of a patient or research subject by:

8 (a) a practitioner authorized to prescribe (or, by the
9 practitioner's authorized agent); or

10 (b) the patient or research subject at the direction and in the
11 presence of the practitioner.

12 (2) "Agent" means an authorized person who acts on behalf of or
13 at the direction of a manufacturer, cultivator, distributor, or
14 dispenser. It does not include a common or contract carrier, public
15 warehouseperson, or employee of the carrier or warehouseperson.

16 (3) "Board" means the Washington state liquor and cannabis board.

17 (4) "Cannabis" means all parts of the plant *Cannabis*, whether
18 growing or not, with a THC concentration greater than 0.3 percent on
19 a dry weight basis during the growing cycle through harvest and
20 usable cannabis. "Cannabis" does not include hemp or industrial hemp
21 as defined in RCW 15.140.020, or seeds used for licensed hemp
22 production under chapter 15.140 RCW.

23 (5) "Cannabis concentrates" means products consisting wholly or
24 in part of the resin extracted from any part of the plant *Cannabis*
25 and having a THC concentration greater than ten percent.

26 (6) "Cannabis processor" means a person licensed by the board to
27 process cannabis into cannabis concentrates, useable cannabis, and
28 cannabis-infused products, package and label cannabis concentrates,
29 useable cannabis, and cannabis-infused products for sale in retail
30 outlets, and sell cannabis concentrates, useable cannabis, and
31 cannabis-infused products at wholesale to cannabis retailers.

32 (7) "Cannabis producer" means a person licensed by the board to
33 produce and sell cannabis at wholesale to cannabis processors and
34 other cannabis producers.

35 (8)(a) "Cannabis products" means useable cannabis, cannabis
36 concentrates, and cannabis-infused products as defined in this
37 section, including any product intended to be consumed or absorbed
38 inside the body by any means including inhalation, ingestion, or
39 insertion, with any detectable amount of THC.

1 (b) "Cannabis products" also means any product containing only
2 THC content.

3 (c) "Cannabis products" does not include cannabis health and
4 beauty aids as defined in RCW 69.50.575 or products approved by the
5 United States food and drug administration.

6 (9) "Cannabis researcher" means a person licensed by the board to
7 produce, process, and possess cannabis for the purposes of conducting
8 research on cannabis and cannabis-derived drug products.

9 (10) "Cannabis retailer" means a person licensed by the board to
10 sell cannabis concentrates, useable cannabis, and cannabis-infused
11 products in a retail outlet.

12 (11) "Cannabis-infused products" means products that contain
13 cannabis or cannabis extracts, are intended for human use, are
14 derived from cannabis as defined in subsection (4) of this section,
15 and have a THC concentration no greater than ten percent. The term
16 "cannabis-infused products" does not include either useable cannabis
17 or cannabis concentrates.

18 (12) "CBD concentration" has the meaning provided in RCW
19 69.51A.010.

20 (13) "CBD product" means any product containing or consisting of
21 cannabidiol.

22 (14) "Commission" means the pharmacy quality assurance
23 commission.

24 (15) "Controlled substance" means a drug, substance, or immediate
25 precursor included in Schedules I through V as set forth in federal
26 or state laws, or federal or commission rules, but does not include
27 ((hemp));

28 (a) Hemp or industrial hemp as defined in RCW 15.140.020; or
29 (b) Psilocybin as defined under section 6 of this act, but only
30 if, and to the extent that, a person manufactures, delivers, or
31 possesses psilocybin in accordance with the provisions of chapter
32 18.--- or 66.--- RCW (the new chapters created in section 109 of this
33 act) and rules adopted under those chapters.

34 (16)(a) "Controlled substance analog" means a substance the
35 chemical structure of which is substantially similar to the chemical
36 structure of a controlled substance in Schedule I or II and:

37 (i) that has a stimulant, depressant, or hallucinogenic effect on
38 the central nervous system substantially similar to the stimulant,
39 depressant, or hallucinogenic effect on the central nervous system of
40 a controlled substance included in Schedule I or II; or

1 (ii) with respect to a particular individual, that the individual
2 represents or intends to have a stimulant, depressant, or
3 hallucinogenic effect on the central nervous system substantially
4 similar to the stimulant, depressant, or hallucinogenic effect on the
5 central nervous system of a controlled substance included in Schedule
6 I or II.

7 (b) The term does not include:

8 (i) a controlled substance;

9 (ii) a substance for which there is an approved new drug
10 application;

11 (iii) a substance with respect to which an exemption is in effect
12 for investigational use by a particular person under Section 505 of
13 the federal food, drug, and cosmetic act, 21 U.S.C. Sec. 355, or
14 chapter 69.77 RCW to the extent conduct with respect to the substance
15 is pursuant to the exemption; or

16 (iv) any substance to the extent not intended for human
17 consumption before an exemption takes effect with respect to the
18 substance.

19 (17) "Deliver" or "delivery" means the actual or constructive
20 transfer from one person to another of a substance, whether or not
21 there is an agency relationship.

22 (18) "Department" means the department of health.

23 (19) "Designated provider" has the meaning provided in RCW
24 69.51A.010.

25 (20) "Dispense" means the interpretation of a prescription or
26 order for a controlled substance and, pursuant to that prescription
27 or order, the proper selection, measuring, compounding, labeling, or
28 packaging necessary to prepare that prescription or order for
29 delivery.

30 (21) "Dispenser" means a practitioner who dispenses.

31 (22) "Distribute" means to deliver other than by administering or
32 dispensing a controlled substance.

33 (23) "Distributor" means a person who distributes.

34 (24) "Drug" means (a) a controlled substance recognized as a drug
35 in the official United States pharmacopoeia/national formulary or the
36 official homeopathic pharmacopoeia of the United States, or any
37 supplement to them; (b) controlled substances intended for use in the
38 diagnosis, cure, mitigation, treatment, or prevention of disease in
39 individuals or animals; (c) controlled substances (other than food)
40 intended to affect the structure or any function of the body of

1 individuals or animals; and (d) controlled substances intended for
2 use as a component of any article specified in (a), (b), or (c) of
3 this subsection. The term does not include devices or their
4 components, parts, or accessories.

5 (25) "Drug enforcement administration" means the drug enforcement
6 administration in the United States Department of Justice, or its
7 successor agency.

8 (26) "Electronic communication of prescription information" means
9 the transmission of a prescription or refill authorization for a drug
10 of a practitioner using computer systems. The term does not include a
11 prescription or refill authorization verbally transmitted by
12 telephone nor a facsimile manually signed by the practitioner.

13 (27) "Immature plant or clone" means a plant or clone that has no
14 flowers, is less than twelve inches in height, and is less than
15 twelve inches in diameter.

16 (28) "Immediate precursor" means a substance:

17 (a) that the commission has found to be and by rule designates as
18 being the principal compound commonly used, or produced primarily for
19 use, in the manufacture of a controlled substance;

20 (b) that is an immediate chemical intermediary used or likely to
21 be used in the manufacture of a controlled substance; and

22 (c) the control of which is necessary to prevent, curtail, or
23 limit the manufacture of the controlled substance.

24 (29) "Isomer" means an optical isomer, but in subsection (33)(e)
25 of this section, RCW 69.50.204(1) (l) and (hh), and 69.50.206(2) (d),
26 the term includes any geometrical isomer; in RCW 69.50.204(1) (h) and
27 (pp) ((~~r~~)) and 69.50.210(3) ((~~r~~)), the term includes any positional
28 isomer; and in RCW 69.50.204(1) (ii), 69.50.204(3), and 69.50.208(1)
29 ((~~r~~)), the term includes any positional or geometric isomer.

30 (30) "Lot" means a definite quantity of cannabis, cannabis
31 concentrates, useable cannabis, or cannabis-infused product
32 identified by a lot number, every portion or package of which is
33 uniform within recognized tolerances for the factors that appear in
34 the labeling.

35 (31) "Lot number" must identify the licensee by business or trade
36 name and Washington state unified business identifier number, and the
37 date of harvest or processing for each lot of cannabis, cannabis
38 concentrates, useable cannabis, or cannabis-infused product.

39 (32) "Manufacture" means the production, preparation,
40 propagation, compounding, conversion, or processing of a controlled

1 substance, either directly or indirectly or by extraction from
2 substances of natural origin, or independently by means of chemical
3 synthesis, or by a combination of extraction and chemical synthesis,
4 and includes any packaging or repackaging of the substance or
5 labeling or relabeling of its container. The term does not include
6 the preparation, compounding, packaging, repackaging, labeling, or
7 relabeling of a controlled substance:

8 (a) by a practitioner as an incident to the practitioner's
9 administering or dispensing of a controlled substance in the course
10 of the practitioner's professional practice; or

11 (b) by a practitioner, or by the practitioner's authorized agent
12 under the practitioner's supervision, for the purpose of, or as an
13 incident to, research, teaching, or chemical analysis and not for
14 sale.

15 (33) "Narcotic drug" means any of the following, whether produced
16 directly or indirectly by extraction from substances of vegetable
17 origin, or independently by means of chemical synthesis, or by a
18 combination of extraction and chemical synthesis:

19 (a) Opium, opium derivative, and any derivative of opium or opium
20 derivative, including their salts, isomers, and salts of isomers,
21 whenever the existence of the salts, isomers, and salts of isomers is
22 possible within the specific chemical designation. The term does not
23 include the isoquinoline alkaloids of opium.

24 (b) Synthetic opiate and any derivative of synthetic opiate,
25 including their isomers, esters, ethers, salts, and salts of isomers,
26 esters, and ethers, whenever the existence of the isomers, esters,
27 ethers, and salts is possible within the specific chemical
28 designation.

29 (c) Poppy straw and concentrate of poppy straw.

30 (d) Coca leaves, except coca leaves and extracts of coca leaves
31 from which cocaine, ecgonine, and derivatives or ecgonine or their
32 salts have been removed.

33 (e) Cocaine, or any salt, isomer, or salt of isomer thereof.

34 (f) Cocaine base.

35 (g) Ecgonine, or any derivative, salt, isomer, or salt of isomer
36 thereof.

37 (h) Any compound, mixture, or preparation containing any quantity
38 of any substance referred to in (a) through (g) of this subsection.

39 (34) "Opiate" means any substance having an addiction-forming or
40 addiction-sustaining liability similar to morphine or being capable

1 of conversion into a drug having addiction-forming or addiction-
2 sustaining liability. The term includes opium, substances derived
3 from opium (opium derivatives), and synthetic opiates. The term does
4 not include, unless specifically designated as controlled under RCW
5 69.50.201, the dextrorotatory isomer of 3-methoxy-n-methylmorphinan
6 and its salts (dextromethorphan). The term includes the racemic and
7 levorotatory forms of dextromethorphan.

8 (35) "Opium poppy" means the plant of the species *Papaver*
9 *somniferum* L., except its seeds.

10 (36) "Package" means a container that has a single unit or group
11 of units.

12 (37) "Person" means individual, corporation, business trust,
13 estate, trust, partnership, association, joint venture, government,
14 governmental subdivision or agency, or any other legal or commercial
15 entity.

16 (38) "Plant" has the meaning provided in RCW 69.51A.010.

17 (39) "Poppy straw" means all parts, except the seeds, of the
18 opium poppy, after mowing.

19 (40) "Practitioner" means:

20 (a) A physician under chapter 18.71 RCW; a physician assistant
21 under chapter 18.71A RCW; an osteopathic physician and surgeon under
22 chapter 18.57 RCW; an optometrist licensed under chapter 18.53 RCW
23 who is certified by the optometry board under RCW 18.53.010 subject
24 to any limitations in RCW 18.53.010; a dentist under chapter 18.32
25 RCW; a podiatric physician and surgeon under chapter 18.22 RCW; a
26 veterinarian under chapter 18.92 RCW; a registered nurse, advanced
27 practice registered nurse (~~(practitioner)~~), or licensed practical
28 nurse under chapter 18.79 RCW; a naturopathic physician under chapter
29 18.36A RCW who is licensed under RCW 18.36A.030 subject to any
30 limitations in RCW 18.36A.040; a pharmacist under chapter 18.64 RCW
31 or a scientific investigator under this chapter, licensed, registered
32 or otherwise permitted insofar as is consistent with those licensing
33 laws to distribute, dispense, conduct research with respect to or
34 administer a controlled substance in the course of their professional
35 practice or research in this state.

36 (b) A pharmacy, hospital or other institution licensed,
37 registered, or otherwise permitted to distribute, dispense, conduct
38 research with respect to or to administer a controlled substance in
39 the course of professional practice or research in this state.

1 (c) A physician licensed to practice medicine and surgery, a
2 physician licensed to practice osteopathic medicine and surgery, a
3 dentist licensed to practice dentistry, a podiatric physician and
4 surgeon licensed to practice podiatric medicine and surgery, a
5 licensed physician assistant or a licensed osteopathic physician
6 assistant specifically approved to prescribe controlled substances by
7 his or her state's medical commission or equivalent and his or her
8 participating physician as defined in RCW 18.71A.010, an advanced
9 practice registered nurse (~~(practitioner)~~) licensed to prescribe
10 controlled substances, or a veterinarian licensed to practice
11 veterinary medicine in any state of the United States.

12 (41) "Prescription" means an order for controlled substances
13 issued by a practitioner duly authorized by law or rule in the state
14 of Washington to prescribe controlled substances within the scope of
15 his or her professional practice for a legitimate medical purpose.

16 (42) "Production" includes the manufacturing, planting,
17 cultivating, growing, or harvesting of a controlled substance.

18 (43) "Qualifying patient" has the meaning provided in RCW
19 69.51A.010.

20 (44) "Recognition card" has the meaning provided in RCW
21 69.51A.010.

22 (45) "Retail outlet" means a location licensed by the board for
23 the retail sale of cannabis concentrates, useable cannabis, and
24 cannabis-infused products.

25 (46) "Secretary" means the secretary of health or the secretary's
26 designee.

27 (47) "Social equity plan" means a plan that addresses at least
28 some of the elements outlined in this subsection (47), along with any
29 additional plan components or requirements approved by the board
30 following consultation with the task force created in RCW 69.50.336.
31 The plan may include:

32 (a) A statement that indicates how the cannabis licensee will
33 work to promote social equity goals in their community;

34 (b) A description of how the cannabis licensee will meet social
35 equity goals as defined in RCW 69.50.335;

36 (c) The composition of the workforce the licensee has employed or
37 intends to hire; and

38 (d) Business plans involving partnerships or assistance to
39 organizations or residents with connections to populations with a
40 history of high rates of enforcement of cannabis prohibition.

1 (48) "State," unless the context otherwise requires, means a
2 state of the United States, the District of Columbia, the
3 Commonwealth of Puerto Rico, or a territory or insular possession
4 subject to the jurisdiction of the United States.

5 (49) "THC concentration" means percent of tetrahydrocannabinol
6 content of any part of the plant *Cannabis*, or per volume or weight of
7 cannabis product, or the combined percent of tetrahydrocannabinol and
8 tetrahydrocannabinolic acid in any part of the plant *Cannabis*
9 regardless of moisture content.

10 (50) "Ultimate user" means an individual who lawfully possesses a
11 controlled substance for the individual's own use or for the use of a
12 member of the individual's household or for administering to an
13 animal owned by the individual or by a member of the individual's
14 household.

15 (51) "Unit" means an individual consumable item within a package
16 of one or more consumable items in solid, liquid, gas, or any form
17 intended for human consumption.

18 (52) "Useable cannabis" means dried cannabis flowers. The term
19 "useable cannabis" does not include either cannabis-infused products
20 or cannabis concentrates.

21 (53) "Youth access" means the level of interest persons under the
22 age of twenty-one may have in a vapor product, as well as the degree
23 to which the product is available or appealing to such persons, and
24 the likelihood of initiation, use, or addiction by adolescents and
25 young adults.

26 **Sec. 101.** RCW 49.60.180 and 2020 c 52 s 10 are each amended to
27 read as follows:

28 It is an unfair practice for any employer:

29 (1) To refuse to hire any person because of age, sex, marital
30 status, sexual orientation, race, creed, color, national origin,
31 citizenship or immigration status, honorably discharged veteran or
32 military status, or the presence of any sensory, mental, or physical
33 disability or the use of a trained dog guide or service animal by a
34 person with a disability, unless based upon a bona fide occupational
35 qualification: PROVIDED, That the prohibition against discrimination
36 because of such disability shall not apply if the particular
37 disability prevents the proper performance of the particular worker
38 involved: PROVIDED, That this section shall not be construed to

1 require an employer to establish employment goals or quotas based on
2 sexual orientation.

3 (2) To discharge or bar any person from employment because of
4 age, sex, marital status, sexual orientation, race, creed, color,
5 national origin, citizenship or immigration status, honorably
6 discharged veteran or military status, use of psilocybin as
7 sanctioned under chapter 18.--- RCW (the new chapter created in
8 section 109(1) of this act) in the absence of visible impairment at
9 work, or the presence of any sensory, mental, or physical disability
10 or the use of a trained dog guide or service animal by a person with
11 a disability.

12 (3) To discriminate against any person in compensation or in
13 other terms or conditions of employment because of age, sex, marital
14 status, sexual orientation, race, creed, color, national origin,
15 citizenship or immigration status, honorably discharged veteran or
16 military status, or the presence of any sensory, mental, or physical
17 disability or the use of a trained dog guide or service animal by a
18 person with a disability: PROVIDED, That it shall not be an unfair
19 practice for an employer to segregate washrooms or locker facilities
20 on the basis of sex, or to base other terms and conditions of
21 employment on the sex of employees where the commission by regulation
22 or ruling in a particular instance has found the employment practice
23 to be appropriate for the practical realization of equality of
24 opportunity between the sexes.

25 (4) To print, or circulate, or cause to be printed or circulated
26 any statement, advertisement, or publication, or to use any form of
27 application for employment, or to make any inquiry in connection with
28 prospective employment, which expresses any limitation,
29 specification, or discrimination as to age, sex, marital status,
30 sexual orientation, race, creed, color, national origin, citizenship
31 or immigration status, honorably discharged veteran or military
32 status, or the presence of any sensory, mental, or physical
33 disability or the use of a trained dog guide or service animal by a
34 person with a disability, or any intent to make any such limitation,
35 specification, or discrimination, unless based upon a bona fide
36 occupational qualification: PROVIDED, Nothing contained herein shall
37 prohibit advertising in a foreign language.

38 **Sec. 102.** RCW 43.79A.040 and 2024 c 327 s 16 and 2024 c 168 s 10
39 are each reenacted and amended to read as follows:

1 (1) Money in the treasurer's trust fund may be deposited,
2 invested, and reinvested by the state treasurer in accordance with
3 RCW 43.84.080 in the same manner and to the same extent as if the
4 money were in the state treasury, and may be commingled with moneys
5 in the state treasury for cash management and cash balance purposes.

6 (2) All income received from investment of the treasurer's trust
7 fund must be set aside in an account in the treasury trust fund to be
8 known as the investment income account.

9 (3) The investment income account may be utilized for the payment
10 of purchased banking services on behalf of treasurer's trust funds
11 including, but not limited to, depository, safekeeping, and
12 disbursement functions for the state treasurer or affected state
13 agencies. The investment income account is subject in all respects to
14 chapter 43.88 RCW, but no appropriation is required for payments to
15 financial institutions. Payments must occur prior to distribution of
16 earnings set forth in subsection (4) of this section.

17 (4)(a) Monthly, the state treasurer must distribute the earnings
18 credited to the investment income account to the state general fund
19 except under (b), (c), and (d) of this subsection.

20 (b) The following accounts and funds must receive their
21 proportionate share of earnings based upon each account's or fund's
22 average daily balance for the period: The 24/7 sobriety account, the
23 Washington promise scholarship account, the Gina Grant Bull memorial
24 legislative page scholarship account, the Rosa Franklin legislative
25 internship program scholarship account, the Washington advanced
26 college tuition payment program account, the Washington college
27 savings program account, the accessible communities account, the
28 Washington achieving a better life experience program account, the
29 Washington career and college pathways innovation challenge program
30 account, the community and technical college innovation account, the
31 agricultural local fund, the American Indian scholarship endowment
32 fund, the behavioral health loan repayment and scholarship program
33 account, the Billy Frank Jr. national statuary hall collection fund,
34 the foster care scholarship endowment fund, the foster care endowed
35 scholarship trust fund, the contract harvesting revolving account,
36 the Washington state combined fund drive account, the commemorative
37 works account, the county 911 excise tax account, the county road
38 administration board emergency loan account, the toll collection
39 account, the developmental disabilities endowment trust fund, the
40 energy account, the energy facility site evaluation council account,

1 the fair fund, the family and medical leave insurance account, the
2 Fern Lodge maintenance account, the fish and wildlife federal lands
3 revolving account, the natural resources federal lands revolving
4 account, the food animal veterinarian conditional scholarship
5 account, the forest health revolving account, the fruit and vegetable
6 inspection account, the educator conditional scholarship account, the
7 game farm alternative account, the GET ready for math and science
8 scholarship account, the Washington global health technologies and
9 product development account, the grain inspection revolving fund, the
10 Washington history day account, the industrial insurance rainy day
11 fund, the juvenile accountability incentive account, the law
12 enforcement officers' and firefighters' plan 2 expense fund, the
13 local tourism promotion account, the low-income home rehabilitation
14 account, the medication for people living with HIV rebate revenue
15 account, the homeowner recovery account, the multiagency permitting
16 team account, the northeast Washington wolf-livestock management
17 account, the pollution liability insurance program trust account, the
18 produce railcar pool account, the public use general aviation airport
19 loan revolving account, the regional transportation investment
20 district account, the rural rehabilitation account, the Washington
21 sexual assault kit account, the stadium and exhibition center
22 account, the youth athletic facility account, the self-insurance
23 revolving fund, the children's trust fund, the Washington horse
24 racing commission Washington bred owners' bonus fund and breeder
25 awards account, the Washington horse racing commission class C purse
26 fund account, the individual development account program account, the
27 Washington horse racing commission operating account, the life
28 sciences discovery fund, the Washington state library-archives
29 building account, the reduced cigarette ignition propensity account,
30 the center for deaf and hard of hearing youth account, the school for
31 the blind account, the Millersylvania park trust fund, the public
32 employees' and retirees' insurance reserve fund, the school
33 employees' benefits board insurance reserve fund, the public
34 employees' and retirees' insurance account, the school employees'
35 insurance account, the long-term services and supports trust account,
36 the radiation perpetual maintenance fund, the Indian health
37 improvement reinvestment account, the department of licensing tuition
38 recovery trust fund, the student achievement council tuition recovery
39 trust fund, the tuition recovery trust fund, the industrial insurance
40 premium refund account, the mobile home park relocation fund, the

1 natural resources deposit fund, the Washington state health insurance
2 pool account, the federal forest revolving account, the Washington
3 saves administrative treasury trust account, the psilocybin
4 facilitation control and regulation account, the psilocybin
5 cultivation and testing control and regulation account, and the
6 library operations account.

7 (c) The following accounts and funds must receive 80 percent of
8 their proportionate share of earnings based upon each account's or
9 fund's average daily balance for the period: The advance right-of-way
10 revolving fund, the advanced environmental mitigation revolving
11 account, the federal narcotics asset forfeitures account, the high
12 occupancy vehicle account, the local rail service assistance account,
13 and the miscellaneous transportation programs account.

14 (d) Any state agency that has independent authority over accounts
15 or funds not statutorily required to be held in the custody of the
16 state treasurer that deposits funds into a fund or account in the
17 custody of the state treasurer pursuant to an agreement with the
18 office of the state treasurer shall receive its proportionate share
19 of earnings based upon each account's or fund's average daily balance
20 for the period.

21 (5) In conformance with Article II, section 37 of the state
22 Constitution, no trust accounts or funds shall be allocated earnings
23 without the specific affirmative directive of this section.

24 **Sec. 103.** RCW 43.79A.040 and 2024 c 327 s 17 and 2024 c 168 s 11
25 are each reenacted and amended to read as follows:

26 (1) Money in the treasurer's trust fund may be deposited,
27 invested, and reinvested by the state treasurer in accordance with
28 RCW 43.84.080 in the same manner and to the same extent as if the
29 money were in the state treasury, and may be commingled with moneys
30 in the state treasury for cash management and cash balance purposes.

31 (2) All income received from investment of the treasurer's trust
32 fund must be set aside in an account in the treasury trust fund to be
33 known as the investment income account.

34 (3) The investment income account may be utilized for the payment
35 of purchased banking services on behalf of treasurer's trust funds
36 including, but not limited to, depository, safekeeping, and
37 disbursement functions for the state treasurer or affected state
38 agencies. The investment income account is subject in all respects to
39 chapter 43.88 RCW, but no appropriation is required for payments to

1 financial institutions. Payments must occur prior to distribution of
2 earnings set forth in subsection (4) of this section.

3 (4)(a) Monthly, the state treasurer must distribute the earnings
4 credited to the investment income account to the state general fund
5 except under (b), (c), and (d) of this subsection.

6 (b) The following accounts and funds must receive their
7 proportionate share of earnings based upon each account's or fund's
8 average daily balance for the period: The 24/7 sobriety account, the
9 Washington promise scholarship account, the Gina Grant Bull memorial
10 legislative page scholarship account, the Rosa Franklin legislative
11 internship program scholarship account, the Washington advanced
12 college tuition payment program account, the Washington college
13 savings program account, the accessible communities account, the
14 Washington achieving a better life experience program account, the
15 Washington career and college pathways innovation challenge program
16 account, the community and technical college innovation account, the
17 agricultural local fund, the American Indian scholarship endowment
18 fund, the behavioral health loan repayment and scholarship program
19 account, the Billy Frank Jr. national statuary hall collection fund,
20 the foster care scholarship endowment fund, the foster care endowed
21 scholarship trust fund, the contract harvesting revolving account,
22 the Washington state combined fund drive account, the commemorative
23 works account, the county 911 excise tax account, the county road
24 administration board emergency loan account, the toll collection
25 account, the developmental disabilities endowment trust fund, the
26 energy account, the energy facility site evaluation council account,
27 the fair fund, the family and medical leave insurance account, the
28 Fern Lodge maintenance account, the fish and wildlife federal lands
29 revolving account, the natural resources federal lands revolving
30 account, the food animal veterinarian conditional scholarship
31 account, the forest health revolving account, the fruit and vegetable
32 inspection account, the educator conditional scholarship account, the
33 game farm alternative account, the GET ready for math and science
34 scholarship account, the Washington global health technologies and
35 product development account, the grain inspection revolving fund, the
36 Washington history day account, the industrial insurance rainy day
37 fund, the juvenile accountability incentive account, the law
38 enforcement officers' and firefighters' plan 2 expense fund, the
39 local tourism promotion account, the low-income home rehabilitation
40 account, the medication for people living with HIV rebate revenue

1 account, the homeowner recovery account, the multiagency permitting
2 team account, the northeast Washington wolf-livestock management
3 account, the produce railcar pool account, the public use general
4 aviation airport loan revolving account, the regional transportation
5 investment district account, the rural rehabilitation account, the
6 Washington sexual assault kit account, the stadium and exhibition
7 center account, the youth athletic facility account, the self-
8 insurance revolving fund, the children's trust fund, the Washington
9 horse racing commission Washington bred owners' bonus fund and
10 breeder awards account, the Washington horse racing commission class
11 C purse fund account, the individual development account program
12 account, the Washington horse racing commission operating account,
13 the life sciences discovery fund, the Washington state library-
14 archives building account, the reduced cigarette ignition propensity
15 account, the center for deaf and hard of hearing youth account, the
16 school for the blind account, the Millersylvania park trust fund, the
17 public employees' and retirees' insurance reserve fund, the school
18 employees' benefits board insurance reserve fund, the public
19 employees' and retirees' insurance account, the school employees'
20 insurance account, the long-term services and supports trust account,
21 the radiation perpetual maintenance fund, the Indian health
22 improvement reinvestment account, the department of licensing tuition
23 recovery trust fund, the student achievement council tuition recovery
24 trust fund, the tuition recovery trust fund, the industrial insurance
25 premium refund account, the mobile home park relocation fund, the
26 natural resources deposit fund, the Washington state health insurance
27 pool account, the federal forest revolving account, the Washington
28 saves administrative treasury trust account, the psilocybin
29 facilitation control and regulation account, the psilocybin
30 cultivation and testing control and regulation account, and the
31 library operations account.

32 (c) The following accounts and funds must receive 80 percent of
33 their proportionate share of earnings based upon each account's or
34 fund's average daily balance for the period: The advance right-of-way
35 revolving fund, the advanced environmental mitigation revolving
36 account, the federal narcotics asset forfeitures account, the high
37 occupancy vehicle account, the local rail service assistance account,
38 and the miscellaneous transportation programs account.

39 (d) Any state agency that has independent authority over accounts
40 or funds not statutorily required to be held in the custody of the

1 state treasurer that deposits funds into a fund or account in the
2 custody of the state treasurer pursuant to an agreement with the
3 office of the state treasurer shall receive its proportionate share
4 of earnings based upon each account's or fund's average daily balance
5 for the period.

6 (5) In conformance with Article II, section 37 of the state
7 Constitution, no trust accounts or funds shall be allocated earnings
8 without the specific affirmative directive of this section.

9 **Sec. 104.** RCW 18.130.010 and 1994 sp.s. c 9 s 601 are each
10 amended to read as follows:

11 It is the intent of the legislature to strengthen and consolidate
12 disciplinary and licensure procedures for the licensed health and
13 health-related professions and businesses by providing a uniform
14 disciplinary act with standardized procedures for the licensure of
15 health care professionals and facilitators and clinical facilitators
16 under chapter 18.--- RCW (the new chapter created in section 109(1)
17 of this act) and the enforcement of laws the purpose of which is to
18 assure the public of the adequacy of professional competence and
19 conduct in the healing arts.

20 It is also the intent of the legislature that all health and
21 health-related professions newly credentialed by the state come under
22 the Uniform Disciplinary Act.

23 Further, the legislature declares that the addition of public
24 members on all health care commissions and boards can give both the
25 state and the public, which it has a statutory responsibility to
26 protect, assurances of accountability and confidence in the various
27 practices of health care.

28 **Sec. 105.** RCW 18.130.040 and 2024 c 362 s 8, 2024 c 217 s 7, and
29 2024 c 50 s 5 are each reenacted and amended to read as follows:

30 (1) This chapter applies only to the secretary and the boards and
31 commissions having jurisdiction in relation to the professions
32 licensed under the chapters specified in this section. This chapter
33 does not apply to any business or profession not licensed under the
34 chapters specified in this section.

35 (2)(a) The secretary has authority under this chapter in relation
36 to the following professions:

37 (i) Dispensing opticians licensed and designated apprentices
38 under chapter 18.34 RCW;

- (ii) Midwives licensed under chapter 18.50 RCW;
- (iii) Ocularists licensed under chapter 18.55 RCW;
- (iv) Massage therapists and businesses licensed under chapter 18.108 RCW;
- (v) Dental hygienists licensed under chapter 18.29 RCW;
- (vi) Acupuncturists or acupuncture and Eastern medicine practitioners licensed under chapter 18.06 RCW;
- (vii) Radiologic technologists certified and X-ray technicians registered under chapter 18.84 RCW;
- (viii) Respiratory care practitioners licensed under chapter 18.89 RCW;
- (ix) Hypnotherapists registered, agency affiliated counselors registered, certified, or licensed, and advisors and counselors certified under chapter 18.19 RCW;
- (x) Persons licensed as mental health counselors, mental health counselor associates, marriage and family therapists, marriage and family therapist associates, social workers, social work associates—advanced, and social work associates—independent clinical under chapter 18.225 RCW;
- (xi) Persons registered as nursing pool operators under chapter 18.52C RCW;
- (xii) Nursing assistants registered or certified or medication assistants endorsed under chapter 18.88A RCW;
- (xiii) Dietitians and nutritionists certified under chapter 18.138 RCW;
- (xiv) Substance use disorder professionals, substance use disorder professional trainees, or co-occurring disorder specialists certified under chapter 18.205 RCW;
- (xv) Sex offender treatment providers and certified affiliate sex offender treatment providers certified under chapter 18.155 RCW;
- (xvi) Persons licensed and certified under chapter 18.73 RCW or RCW 18.71.205;
- (xvii) Orthotists and prosthetists licensed under chapter 18.200 RCW;
- (xviii) Surgical technologists registered under chapter 18.215 RCW;
- (xix) Recreational therapists under chapter 18.230 RCW;
- (xx) Animal massage therapists certified under chapter 18.240 RCW;
- (xxi) Athletic trainers licensed under chapter 18.250 RCW;

(xxii) Home care aides certified under chapter 18.88B RCW;
(xxiii) Genetic counselors licensed under chapter 18.290 RCW;
(xxiv) Reflexologists certified under chapter 18.108 RCW;
(xxv) Medical assistants-certified, medical assistants-hemodialysis technician, medical assistants-phlebotomist, forensic phlebotomist, medical assistant-EMT, and medical assistants-registered certified and registered under chapter 18.360 RCW;
(xxvi) Behavior analysts, assistant behavior analysts, and behavior technicians under chapter 18.380 RCW;
(xxvii) Birth doulas certified under chapter 18.47 RCW;
(xxviii) Music therapists licensed under chapter 18.233 RCW;
(xxix) Behavioral health support specialists certified under chapter 18.227 RCW; (~~and~~)
(xxx) Certified peer specialists and certified peer specialist trainees under chapter 18.420 RCW; and
(xxxi) Facilitators and clinical facilitators under chapter 18.--- RCW (the new chapter created in section 109(1) of this act).
(b) The boards and commissions having authority under this chapter are as follows:
(i) The podiatric medical board as established in chapter 18.22 RCW;
(ii) The chiropractic quality assurance commission as established in chapter 18.25 RCW;
(iii) The dental quality assurance commission as established in chapter 18.32 RCW governing licenses issued under chapter 18.32 RCW, licenses and registrations issued under chapter 18.260 RCW, licenses issued under chapter 18.265 RCW, and certifications issued under chapter 18.350 RCW;
(iv) The board of hearing and speech as established in chapter 18.35 RCW;
(v) The board of examiners for nursing home administrators as established in chapter 18.52 RCW;
(vi) The optometry board as established in chapter 18.54 RCW governing licenses issued under chapter 18.53 RCW;
(vii) The board of osteopathic medicine and surgery as established in chapter 18.57 RCW governing licenses issued under chapter 18.57 RCW;
(viii) The pharmacy quality assurance commission as established in chapter 18.64 RCW governing licenses issued under chapters 18.64 and 18.64A RCW;

(ix) The Washington medical commission as established in chapter 18.71 RCW governing licenses and registrations issued under chapters 18.71, 18.71A, and 18.71D RCW;

(x) The board of physical therapy as established in chapter 18.74 RCW;

(xi) The board of occupational therapy practice as established in chapter 18.59 RCW;

(xii) The board of nursing as established in chapter 18.79 RCW governing licenses and registrations issued under that chapter and under chapter 18.80 RCW;

(xiii) The examining board of psychology and its disciplinary committee as established in chapter 18.83 RCW;

(xiv) The veterinary board of governors as established in chapter 18.92 RCW;

(xv) The board of naturopathy established in chapter 18.36A RCW, governing licenses and certifications issued under that chapter; and

(xvi) The board of denturists established in chapter 18.30 RCW.

(3) In addition to the authority to discipline license holders, the disciplining authority has the authority to grant or deny licenses. The disciplining authority may also grant a license subject to conditions, which must be in compliance with chapter 18.415 RCW.

(4) All disciplining authorities shall adopt procedures to ensure substantially consistent application of this chapter, the uniform disciplinary act, among the disciplining authorities listed in subsection (2) of this section.

Sec. 106. RCW 18.130.180 and 2024 c 220 s 2 are each amended to read as follows:

Except as provided in RCW 18.130.450, the following conduct, acts, or conditions constitute unprofessional conduct for any license holder under the jurisdiction of this chapter:

(1) The commission of any act involving moral turpitude, dishonesty, or corruption relating to the practice of the person's profession, whether the act constitutes a crime or not. If the act constitutes a crime, conviction in a criminal proceeding is not a condition precedent to disciplinary action. Upon such a conviction, however, the judgment and sentence is conclusive evidence at the ensuing disciplinary hearing of the guilt of the license holder of the crime described in the indictment or information, and of the person's violation of the statute on which it is based. For the

1 purposes of this section, conviction includes all instances in which
2 a plea of guilty or nolo contendere is the basis for the conviction
3 and all proceedings in which the sentence has been deferred or
4 suspended. Nothing in this section abrogates rights guaranteed under
5 chapter 9.96A RCW. This subsection does not apply to federal laws,
6 regulations, and policies prohibiting actions relating to psilocybin
7 as permitted under chapter 18.--- or 66.--- RCW (the new chapters
8 created in section 109 of this act);

9 (2) Misrepresentation or concealment of a material fact in
10 obtaining a license or in reinstatement thereof;

11 (3) All advertising which is false, fraudulent, or misleading;

12 (4) Incompetence, negligence, or malpractice which results in
13 injury to a patient or which creates an unreasonable risk that a
14 patient may be harmed. The use of a nontraditional treatment by
15 itself shall not constitute unprofessional conduct, provided that it
16 does not result in injury to a patient or create an unreasonable risk
17 that a patient may be harmed;

18 (5) Suspension, revocation, or restriction of the individual's
19 license to practice any health care profession by competent authority
20 in any state, federal, or foreign jurisdiction, a certified copy of
21 the order, stipulation, or agreement being conclusive evidence of the
22 revocation, suspension, or restriction;

23 (6) ~~((The))~~ Except when authorized by RCW 69.41.095 or concerning
24 activities related to psilocybin as permitted under chapter 18.--- or
25 66.--- RCW (the new chapters created in section 109 of this act), the
26 possession, use, prescription for use, or distribution of controlled
27 substances or legend drugs in any way other than for legitimate or
28 therapeutic purposes, diversion of controlled substances or legend
29 drugs, the violation of any drug law, or prescribing controlled
30 substances for oneself;

31 (7) Violation of any state or federal statute or administrative
32 rule regulating the profession in question, including any statute or
33 rule defining or establishing standards of patient care or
34 professional conduct or practice, except for federal laws,
35 regulations, and policies prohibiting actions relating to psilocybin
36 as permitted under chapter 18.--- or 66.--- RCW (the new chapters
37 created in section 109 of this act);

38 (8) Failure to cooperate with the disciplining authority by:

39 (a) Not furnishing any papers, documents, records, or other
40 items;

1 (b) Not furnishing in writing a full and complete explanation
2 covering the matter contained in the complaint filed with the
3 disciplining authority;

4 (c) Not responding to subpoenas issued by the disciplining
5 authority, whether or not the recipient of the subpoena is the
6 accused in the proceeding; or

7 (d) Not providing reasonable and timely access for authorized
8 representatives of the disciplining authority seeking to perform
9 practice reviews at facilities utilized by the license holder;

10 (9) Failure to comply with an order issued by the disciplining
11 authority or a stipulation for informal disposition entered into with
12 the disciplining authority;

13 (10) Aiding or abetting an unlicensed person to practice when a
14 license is required;

15 (11) Violations of rules established by any health agency;

16 (12) Practice beyond the scope of practice as defined by law or
17 rule;

18 (13) Misrepresentation or fraud in any aspect of the conduct of
19 the business or profession;

20 (14) Failure to adequately supervise auxiliary staff to the
21 extent that the consumer's health or safety is at risk;

22 (15) Engaging in a profession involving contact with the public
23 while suffering from a contagious or infectious disease involving
24 serious risk to public health;

25 (16) Promotion for personal gain of any unnecessary or
26 inefficacious drug, device, treatment, procedure, or service;

27 (17) Conviction of any gross misdemeanor or felony relating to
28 the practice of the person's profession. For the purposes of this
29 subsection, conviction includes all instances in which a plea of
30 guilty or nolo contendere is the basis for conviction and all
31 proceedings in which the sentence has been deferred or suspended.
32 Nothing in this section abrogates rights guaranteed under chapter
33 9.96A RCW;

34 (18) The offering, undertaking, or agreeing to cure or treat
35 disease by a secret method, procedure, treatment, or medicine, or the
36 treating, operating, or prescribing for any health condition by a
37 method, means, or procedure which the licensee refuses to divulge
38 upon demand of the disciplining authority;

39 (19) The willful betrayal of a practitioner-patient privilege as
40 recognized by law;

1 (20) Violation of chapter 19.68 RCW or a pattern of violations of
2 RCW 41.05.700(8), 48.43.735(8), 48.49.020, 48.49.030, 71.24.335(8),
3 or 74.09.325(8);

4 (21) Interference with an investigation or disciplinary
5 proceeding by willful misrepresentation of facts before the
6 disciplining authority or its authorized representative, or by the
7 use of threats or harassment against any patient or witness to
8 prevent them from providing evidence in a disciplinary proceeding or
9 any other legal action, or by the use of financial inducements to any
10 patient or witness to prevent or attempt to prevent him or her from
11 providing evidence in a disciplinary proceeding;

12 (22) Current misuse of:

13 (a) Alcohol;

14 (b) Controlled substances, excluding actions permitted under
15 chapter 18.--- or 66.--- RCW (the new chapters created in section 109
16 of this act); or

17 (c) Legend drugs;

18 (23) Abuse of a client or patient or sexual contact with a client
19 or patient;

20 (24) Acceptance of more than a nominal gratuity, hospitality, or
21 subsidy offered by a representative or vendor of medical or health-
22 related products or services intended for patients, in contemplation
23 of a sale or for use in research publishable in professional
24 journals, where a conflict of interest is presented, as defined by
25 rules of the disciplining authority, in consultation with the
26 department, based on recognized professional ethical standards;

27 (25) Violation of RCW 18.130.420;

28 (26) Performing conversion therapy on a patient under age
29 eighteen;

30 (27) Violation of RCW 18.130.430;

31 (28) Violation of RCW 18.130.460; or

32 (29) Implanting the license holder's own gametes or reproductive
33 material into a patient.

34 **Sec. 107.** RCW 19.410.020 and 2023 c 364 s 9 are each amended to
35 read as follows:

36 Medical professionals licensed by the state of Washington shall
37 not be subject to adverse licensing action for recommending
38 psilocybin therapy services or psilocybin services as defined under
39 section 6 of this act.

1 NEW SECTION. **Sec. 108.** If any provision of this act or its
2 application to any person or circumstance is held invalid, the
3 remainder of the act or the application of the provision to other
4 persons or circumstances is not affected.

5 NEW SECTION. **Sec. 109.** (1) Sections 5 through 56 of this act
6 constitute a new chapter in Title 18 RCW.

7 (2) Sections 57 through 96 of this act constitute a new chapter
8 in Title 66 RCW.

9 NEW SECTION. **Sec. 110.** Section 7 of this act is necessary for
10 the immediate preservation of the public peace, health, or safety, or
11 support of the state government and its existing public institutions,
12 and takes effect immediately.

13 NEW SECTION. **Sec. 111.** Section 102 of this act expires July 1,
14 2030.

15 NEW SECTION. **Sec. 112.** Section 103 of this act takes effect
16 July 1, 2030.

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