Oregon Psilocybin Services Section
Summary of Measure 109

Listening Session
December 13-15, 2021
What does Measure 109 do?

M109 creates a license and regulatory framework for production of psilocybin and facilitation of psilocybin services for adults 21 years of age and older.

What doesn’t Measure 109 do?

- M109 does not create a consumer market for psilocybin.
- M109 does not allow for export or import of psilocybin.
- M109 does not allows licensees to interact with unregulated markets.
Oregon Psilocybin Advisory Board

The Oregon Psilocybin Advisory Board:

• Advises OHA on available scientific studies and research on the safety and efficacy of psilocybin in treating mental health conditions, and makes recommendations on the requirement, specifications, and guidelines for providing psilocybin services in Oregon

• Develops a long-term strategic plan for ensuring that psilocybin services will remain a safe, accessible, and affordable option for persons 21 years of age and older

• Monitors and study federal laws, regulations, and policies regarding psilocybin

Current OPAB subcommittees include Equity, Training, Research, Products, and Licensing Subcommittees.
License Types

Manufacturer License

- Greater than 50% ownership group are Oregon residents
- An individual may not hold an interest in multiple manufacturers
- Must demonstrate that property owner has consented to production of psilocybin
- Cannot cultivate outdoors
- Premise must have defined boundaries
- Cannot exceed production quantities established in rule
License Types

Testing Lab License

• All psilocybin products must be tested by a licensed laboratory prior to transfer to Service Center
• Laboratories must be accredited by the Oregon Environmental Laboratory Accreditation Program
• Testing results must be entered in the product tracking system
License Types

Facilitator License

- Must complete **OHA approved training program** before applying for licensure
- Must have been an Oregon resident for two years (expires January 2025)
- Must pass exam approved or administered by OHA
- Cannot transfer psilocybin products to clients
License Types

Service Center License

- Greater than 50% of ownership group are Oregon residents
- An individual may not hold an interest in more than five service centers
- Cannot be located within 1000 feet of a school
- Must have defined boundaries
- Provides psylocibin products to client for use during administration session
- Only license authorized to provide psylocibin products to clients
- Most employees will be required to hold a worker permit issued by OHA
Local Government Issues

Local Government Opt-Out:
• Local governments (cities and counties) may adopt ordinances that prohibit Manufacturers and Service Centers
• Ordinances must be referred to voters at the next general election

Local Government Time Place and Manner Regulations
• Local governments may adopt reasonable regulations on hours, location, and operation of licenses
• Local taxes and fees are prohibited

Land Use Compatibility Statements (LUCS)
• Applicants for Service Center and Manufacturer licenses are required to request a LUCS from their local government before submitting a license application
Product Tracking

Product tracking system required to track manufacturing, packaging, delivery, and sale of psilocybin products to:

- Prevent diversion
- Prevent tampering
- Ensure accurate accounting
- Ensure accurate reporting of lab testing results

OHA shall:

- Develop and maintain tracking system, or
- Contract with Oregon Liquor and Cannabis Commission (OLCC) to use cannabis tracking system vendor
License and Application Fees, Taxes

License and Application Fees

• OHA shall adopt rules designating application, license, and renewal fees for all license types
• Fees must be reasonably calculated not to exceed the cost of administration
• Oregon Psilocybin Services will be a fee-based program and fees must cover the costs associated with the agency’s work

Taxes

• Service Centers collect a 15% tax on the sale of psylocibin products payable to Oregon Department of Revenue
• Tax revenues help fund administrative costs for Department of Revenue and Oregon Psilocybin Services
M109 Statutory Requirements

- Development Period: **January 1, 2021 to December 31, 2022**
- OHA published the Rapid Evidence Review: **July 31, 2021**
- Oregon Psilocybin Advisory Board will submit findings and recommendations: **June 30, 2022**
- OHA shall adopt rules: **December 31, 2022**
- OHA will begin receiving applications for licensure: **January 2, 2023**

PUBLIC HEALTH DIVISION
Oregon Psilocybin Services
Thank You!

Please visit our website:

https://www.oregon.gov/oha/PH/PREVENTION WELLNESS/Pages/Oregon-Psilocybin-Services.aspx