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# Oregon Psilocybin Services Section Summary of Measure 109

## Listening Session December 13-15, 2021



PUBLIC HEALTH DIVISION  
Oregon Psilocybin Services

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# 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 psilocybin products to client for use during administration session
- Only license authorized to provide psilocybin 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 psilocybin 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**

# Thank You!

Please visit our website:

[https://www.oregon.gov/oha/PH/PREVENTION  
WELLNESS/Pages/Oregon-Psilocybin-  
Services.aspx](https://www.oregon.gov/oha/PH/PREVENTION_WELLNESS/Pages/Oregon-Psilocybin-Services.aspx)