
HOUSE BILL 1433

State of Washington

69th Legislature

2025 Regular Session

By Representatives Macri, Couture, Ramel, Griffey, Lekanoff, Ormsby, Nance, Walen, Cortes, Fosse, Doglio, Reeves, Goodman, McEntire, Bernbaum, Waters, Street, Pollet, Gregerson, Rude, Simmons, Berry, Fitzgibbon, Parshley, Peterson, Reed, Farivar, Tharinger, and Hill

Read first time 01/20/25. Referred to Committee on Health Care & Wellness.

1 AN ACT Relating to access to psychedelic substances by
2 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) Psychedelic substances have a low-risk profile when
14 administered in a context of supported adult use, in a controlled
15 environment, and under the supervision of a trained facilitator;

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

19 (c) Results from clinical trials reveal therapeutic
20 administration of psychedelic substances to be a promising practice

1 for the 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 psychedelic substance services for adults 21 years
9 and older by ballot initiative;

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

15 (e) Despite a recent proliferation of studies, the federal
16 government's classification of psychedelic substances as Schedule I
17 controlled substances has stymied the creation of high quality large-
18 scale research studies into their risks and benefits of psychedelic
19 substances, to 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 psychedelic substances to be overseen by the department
23 of health using fully tested substances administered by licensed
24 professionals;

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

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

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

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

1 (b) There is a special need for the potential benefits from
2 therapeutic use of psychedelic substances among historically
3 disadvantaged communities, economically disadvantaged communities,
4 justice involved communities, and communities that have been
5 disproportionately impacted by the war against drugs;

6 (c) Experience with legalization in Oregon and Colorado has shown
7 that the highest barrier to participation in the psychedelic
8 substance system is high cost, engendered in part by the
9 unavailability of insurance coverage and the high cost of regulatory
10 operations and regulatory compliance in this new industry;

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

13 (e) Consciousness of cost is not incompatible with prudent regard
14 for the safety of psychedelic substance clients and the public; and

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

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

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

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

34 (b) The liquor and cannabis board, which must oversee the
35 licensure of manufacturers and laboratories and develop regulations
36 related to testing, tracking, packaging, and labeling of psychedelic
37 substances.

38 (2) The department of health and the liquor and cannabis board
39 must collaborate closely in order to execute their duties under this

1 act in a consistent and cost-effective manner, and may enter
2 memoranda of understanding or joint operating or enforcement
3 agreements when doing so would decrease the cost of regulation and
4 lessen the burden of regulatory compliance for licensees.

5 **DEPARTMENT OF HEALTH PROVISIONS**

6 NEW SECTION. **Sec. 4.** This act may be known and cited as the
7 psychedelic substances act.

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

9 (1) To require a government medical assistance program or private
10 health insurer to reimburse a person for costs associated with the
11 administration of psychedelic substances;

12 (2) To prohibit a recipient of a federal grant or an applicant
13 for a federal grant from prohibiting the manufacture, delivery,
14 possession, or use of psychedelic substances to the extent necessary
15 to satisfy federal requirements for the grant;

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

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

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

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

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

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

35 (4) "Associate facilitator" means a person licensed by the
36 department as an associate facilitator who is authorized to perform

1 all the services of a facilitator under the supervision of an
2 approved supervisor while accumulating the necessary experience hours
3 for licensure as a facilitator.

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

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

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

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

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

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

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

1 who has at least two years of experience in direct treatment of
2 persons with mental illness, substance use disorder, or emotional
3 disturbance gained under the supervision of a mental health
4 professional recognized by the department of social and health
5 services or attested to by a licensed behavioral health agency.

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

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

17 (14) "Psilocybin" means psilocybin or psilocin, either naturally
18 occurring or produced using chemical synthesis, and includes products
19 containing psilocybin-producing fungi or which have been infused with
20 a detectable amount of psilocybin or psilocin.

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

28 (16) "Psychedelic substance" means psilocybin or psilocin and,
29 after December 31, 2029, may include any of the following additional
30 substances if recommended by the board and subsequently adopted in
31 rule by the department: Dimethyltryptamine, ibogaine, bufotenin, 3,4-
32 methylenedioxymethamphetamine, and mescaline (excluding peyote and
33 any parts or extracts of the plant classified as *Lophophora*
34 *williamsii* plant).

35 (17) "Secretary" means the secretary of health appointed under
36 RCW 43.70.030.

37 (18) "Service center" means a location licensed by the department
38 where facilitators and clinical facilitators may hold administration
39 sessions with clients, and which can acquire, possess, transfer,

1 transport, deliver, supply, sell, or dispense psychedelic substances
2 to authorized entities or individuals.

3 (19) "Service center operator" means a person that operates a
4 service center.

5 (20) "Two-year program development period" means the period
6 beginning on September 1, 2025, and ending by September 1, 2027.

7 **WASHINGTON PSYCHEDELIC SUBSTANCES BOARD**

8 NEW SECTION. **Sec. 7.** (1) The Washington psychedelic substances
9 board is established within the department to provide advice and
10 assistance to the department in administering this chapter. The board
11 shall consist of six psychedelic substance facilitators and five
12 public members.

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

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

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

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

37 (2) Three members of the board shall be appointed for a term of
38 one year, four members shall be appointed for a term of two years,

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

7 (3) The secretary shall appoint the board members by September 1,
8 2025.

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

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

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

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

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

30 **PROTECTION OF CLIENT INFORMATION**

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

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

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

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

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

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

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

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

20 **FACILITATORS, CLINICAL FACILITATORS, AND ASSOCIATES**

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

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

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

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

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

38 (3) Successful completion of an approved examination;

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

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

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

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

12 (b) Completion of an approved course on psychedelic harm
13 reduction integration; and

14 (c) At the time of licensure, the facilitator holds a license or
15 certification in good standing as a health professional in Washington
16 state or a substantially equivalent credential issued by another
17 jurisdiction in the United States or abroad.

18 (2) The board, or the department acting upon advice or guidance
19 from the board, may reduce or waive the practicum or supervised
20 experience requirements, or both, under this section for an applicant
21 in consideration of prior experience in psychedelic substance
22 facilitation that is documented by, or attested to by, the applicant.

23 (3) The board, or the department acting upon advice or guidance
24 from the board, may reduce or waive educational or testing
25 requirements under this section for an applicant who holds a
26 credential in psychedelic substance facilitation from another state,
27 or who holds other recognized indications of education and training
28 in psychedelic substance facilitation.

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

36 (2) Until January 1, 2030, the board may waive the requirement
37 for an approved supervisor to have two years of licensure under
38 section 13 of this act if the approved supervisor is determined in

1 the discretion of the board, or by the department acting on advice or
2 guidance from the board, to have acquired sufficient education and
3 experience to supervise associates.

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

5 NEW SECTION. **Sec. 12.** (1) By September 1, 2027, the department
6 must develop, or contract for the development of, a course for health
7 professionals to be made available at no cost through the
8 department's website enabling health professionals to learn
9 principles of how to apply their clinical skills to provide informed
10 counseling to clients who are contemplating engaging in therapeutic
11 use of psychedelic substances or who are integrating the lessons from
12 an experience in taking psychedelic substances for therapeutic
13 purposes. The course must include known information about risk
14 factors, costs, and benefits of the therapeutic use of psychedelic
15 substances, and incorporate skills and insights from the theory of
16 psychedelic harm reduction integration.

17 (2) The course satisfies the educational requirements for
18 licensure as an associate clinical facilitator when taken in
19 conjunction with the training course for facilitators.

20 NEW SECTION. **Sec. 13.** (1) The secretary shall issue an
21 associate facilitator license or associate clinical facilitator
22 license to an applicant who demonstrates to the satisfaction of the
23 secretary that the applicant has met all requirements towards
24 licensure as a facilitator or clinical facilitator except for the
25 supervised experience requirement, and who submits a declaration that
26 the applicant is working toward full licensure.

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

31 (3) An associate facilitator or associate clinical facilitator
32 may perform administration sessions and perform other duties
33 authorized by this chapter under the supervision of an approved
34 supervisor.

35 (4) An associate license may be renewed.

36 (5) An associate may work in paid employment in the psychedelic
37 substance industry in the capacity of a facilitator under the
38 supervision of a qualified supervisor.

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

6 NEW SECTION. **Sec. 14.** (1) A facilitator or associate

7 facilitator who is not a clinical facilitator or associate clinical
8 facilitator must make conspicuous disclosures to a client describing:

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

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

14 (2) A facilitator or associate facilitator must disclose that the
15 facilitator's or associate facilitator's role is to guide the client
16 through an experience, with no guarantee of results. The facilitator
17 or associate facilitator must advise a client who wishes to receive
18 services beyond those within the facilitator or associate
19 facilitator's scope of practice to consult a clinical facilitator,
20 associate clinical facilitator, or another health professional. To
21 proceed, the client must provide written acknowledgment of the
22 client's understanding of the facilitator's or associate
23 facilitator's role.

24 (3) A clinical facilitator must make the following conspicuous
25 disclosures to a client:

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

28 (b) Explain whether at any given time the clinical facilitator or
29 associate facilitator is practicing within the scope of the clinical
30 facilitator's or associate facilitator's health care license, or
31 clinical facilitator license;

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

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

1 (4) A clinical facilitator may practice within the scope of
2 either of the clinical facilitator's licenses, including during the
3 same client session, but the clinical facilitator may not seek
4 insurance reimbursement for services provided under the clinical
5 facilitator's license as a health professional while simultaneously
6 facilitating an administration session in which a client ingests a
7 psychedelic substance. Insurance reimbursement may be sought for
8 services provided during a preparation session or integration session
9 while the clinical facilitator is acting within the clinical
10 facilitator's scope of practice as a health professional.

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

16 **AUTHORIZED LOCATIONS FOR PSYCHEDELIC SUBSTANCE ADMINISTRATION**

17 NEW SECTION. **Sec. 16.** (1) A facilitator or clinical facilitator
18 may hold a psychedelic substance administration session in one of the
19 following locations:

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

21 (b) Any location licensed as a health care facility by the
22 department and registered under this chapter by a facilitator or
23 clinical facilitator as a location where administration sessions may
24 be performed;

25 (c) The regular place of business within the state of Washington
26 in which a clinical facilitator uses the clinical facilitator's
27 health professional license and that the clinical facilitator has
28 registered with the department as a location where an administration
29 session may be held by the clinical facilitator or a facilitator
30 working in tandem with the clinical facilitator. Registration shall
31 not affect the clinical facilitator's discretion to determine hours
32 of operation;

33 (d) The residence of a psychedelic substance services client; or

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

35 (2) Both individual and group administration sessions may be held
36 in all locations specified under subsection (1) of this section,

1 subject to available space. A group session under subsection (1)(c)
2 of this section is limited to up to two clients.

3 (3) The department may limit the number of administration
4 sessions authorized to be held within the residence of a single
5 psychedelic substances client to no more than six within a 12-month
6 period. If an administration session in a client's home involves a
7 single facilitator, the department may require the administration
8 session to be recorded for client safety.

9 (4) A permit issued by the department approving a temporary
10 location for holding an administration session under subsection
11 (1)(e) of this section must expire within six months and must
12 authorize no more than eight administration sessions to be held at
13 the temporary location within any 12-month period. The department
14 must develop a checklist of factors such as size, privacy,
15 permissions, control of the space, and other factors established by
16 rule to determine if the space is suitable for issuance of a permit
17 which may be documented or certified by the applicant. A permit may
18 be renewed if requirements for issuance continue to be met. The
19 department shall waive the limitations as to time and frequency when
20 issuing a temporary location permit for the purpose of a research
21 study related to psychedelic substances approved by the Washington
22 state institutional review board, University of Washington
23 institutional review board, or a similar oversight body, in which
24 case the conditions attached to the temporary location permit must be
25 tailored to the parameters of the research study.

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

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

31 (b) Allowing a service center to have any number of
32 administration areas in which an administration session may take
33 place;

34 (c) Requiring the service center to have a limited access area,
35 that may be secured by any reasonable means, for storage of
36 psychedelic substances;

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

1 (e) Allowing outdoor administration sessions; and

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

5 (2) A service center may use an administration session area for
6 any other purpose when the administration session area is not being
7 used for an administration session. A service center may use all
8 parts of its premises excluding the limited access area for other
9 legal purposes if such uses do not interfere with any administration
10 session taking place on the premises.

11 (3) License and registration fees adopted under this section may
12 not exceed, together with other fees collected under this chapter,
13 the cost of administering this chapter, and must be deposited in the
14 psychedelic substance facilitation control and regulation account
15 established under section 41 of this act.

16 **TRANSPORTATION OF PSYCHEDELIC SUBSTANCES**

17 NEW SECTION. **Sec. 18.** (1) An employee of a service center who
18 is registered with the department may transport and deliver a
19 psychedelic substance only to:

20 (a) A service center;

21 (b) A laboratory or manufacturer licensed under chapter 66.---
22 RCW (the new chapter created in section 110(2) of this act);

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

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

29 (e) A facilitator licensed under this chapter, provided the
30 delivery of the psychedelic substance is to a location directed by
31 the facilitator, and the facilitator must be present to receive the
32 psychedelic substance at the time of delivery.

33 (2) A facilitator may transport a psychedelic substance to and
34 from administration session locations and locations where storage of
35 psychedelic substances are authorized under section 19 of this act.

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

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

5 **STORAGE OF PSYCHEDELIC SUBSTANCES**

6 NEW SECTION. **Sec. 19.** (1) Psychedelic substances regulated by
7 this chapter or chapter 66.--- RCW (the new chapter created in
8 section 110(2) of this act) may be stored at a service center, a
9 manufacturer or laboratory licensed under chapter 66.--- RCW (the new
10 chapter created in section 110(2) of this act), or in a limited
11 access location at a health care facility licensed by the department
12 and registered with the department as a location where an
13 administration session may be held.

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

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

32 **PREREQUISITES FOR AN ADMINISTRATION SESSION**

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

- 35 (a) Collect client information;
36 (b) Make any disclosures and warnings required by rule;

1 (c) Verify that the client has received and reviewed educational
2 information and had the opportunity to have a preparation session if
3 desired before the administration session; and

4 (d) Make, verify, or confirm arrangements for safety
5 contingencies and client transportation at the end of the session.

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

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

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

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

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

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

24 **POWERS OF THE DEPARTMENT OF HEALTH**

25 NEW SECTION. **Sec. 22.** (1) A regulated psychedelic substances
26 program is established in the department.

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

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

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

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

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

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

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

12 (vi) Procedures for holding and documenting completion of an
13 administration session;

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

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

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

21 (x) Provisions that allow a facilitator or service center to
22 refuse to provide psychedelic substance services to a client;

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

24 (i) Facilitation skills that are affirming, nonjudgmental,
25 culturally competent, and nondirective;

26 (ii) The importance of client safety;

27 (iii) Consideration of the environment for the administration
28 session; and

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

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

34 (d) Establishing requirements for an administration session that
35 is held within the residence of a client that advances best practices
36 and protects the health and safety of the client. This may include a
37 rule requiring a safety check of the premises by the facilitator and
38 recording of the administration session unless two or more licensed
39 facilitators are present;

1 (e) Establishing prerequisites and requirements for
2 administration sessions that are held at the regular place of
3 business of a clinical facilitator;

4 (f) Establishing requirements for integration sessions; and

5 (g) Establishing requirements for the operation of service
6 centers.

7 (3) The department may approve training courses for facilitators
8 and clinical facilitators. Facilitator training must be modular,
9 allowing the offering of comprehensive training programs and partial
10 training programs, so that a candidate may elect to piece together a
11 training curriculum among modules offered by different training
12 programs. The core curriculum may be offered in person or through
13 distance education, with the practical portion of the curriculum
14 completed in person.

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

16 (a) Require a client to be diagnosed with or have any particular
17 medical condition as a condition to being provided psychedelic
18 substance services; or

19 (b) Require a professional license or professional degree to
20 license an individual as a facilitator.

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

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

26 (1) The University of Washington center for novel therapeutics in
27 addiction psychiatry, the research and data administration of the
28 department of social and health services, and the Washington state
29 institute for public policy concerning best practices for data
30 collection from psychedelic substance services clients that will:

31 (a) Protect personally identifiable information provided by
32 psychedelic substance services clients from disclosure to third
33 parties, including disclosures to state or federal law enforcement
34 agencies, except to the extent authorized by the client; and

35 (b) Maximize research opportunities to advance knowledge of
36 benefits, risks, and outcomes of psychedelic substance administration
37 sessions using deidentified information, and including consideration
38 of the possibility of soliciting voluntary or incentivized opt-in

1 from clients for enhanced information sharing for research purposes;
2 and
3 (2) The liquor and cannabis board as provided under section 3 of
4 this act.

5 **TWO-YEAR PROGRAM DEVELOPMENT PERIOD**

6 NEW SECTION. **Sec. 24.** (1) By December 31, 2025, and from time
7 to time thereafter, the department must publish and distribute to the
8 public available medical, psychological, and scientific studies,
9 research, and other information relating to the safety and efficacy
10 of psychedelic substances in ameliorating behavioral health
11 conditions including, but not limited to, addiction, depression,
12 anxiety disorders, and end-of-life psychological distress.

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

15 **APPLICATION PROCESS AND LICENSES**

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

- 19 (1) Operate a service center; and
- 20 (2) Facilitate psychedelic substance services.

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

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

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

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

- 32 (a) Has not completed required education or training;
- 33 (b) Has not passed an examination required by the department;
- 34 (c) Has made false statements to the department;

1 (d) Demonstrates a lack of capacity or incompetency to carry on
2 the management of the establishment proposed to be licensed;

3 (e) Has been convicted of violating a federal law, state law, or
4 local ordinance if the conviction is substantially related to the
5 fitness and ability of the applicant to lawfully carry out activities
6 under the license;

7 (f) Is not of good repute and moral character;

8 (g) Does not have a good record of compliance with this chapter
9 or any rule adopted under this chapter;

10 (h) Is not the legitimate owner of the premises proposed to be
11 licensed, or has not disclosed that other persons have ownership
12 interests in the premises proposed to be licensed; or

13 (i) Is unable to understand the laws of this state relating to
14 psychedelic substances or the rules adopted under this chapter.

15 (3) In determining whether to issue a license or a restricted
16 license to an applicant, the department may not consider the prior
17 conviction of the applicant or any owner, director, officer, manager,
18 employee, agent, or other representative of the applicant for:

19 (a) The manufacture of a psychedelic substance or the manufacture
20 of a cannabis item; or

21 (b) The possession of a controlled substance.

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

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

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

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

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

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

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

38 (1) Is a personal privilege;

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

3 (3) Is revocable or suspendable;

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

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

12 (6) Does not constitute property;

13 (7) Is not alienable;

14 (8) Is not subject to attachment or execution;

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

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

19 **LICENSEES IN GENERAL**

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

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

28 (2) A person may hold both a manufacturer license under chapter
29 66.--- RCW (the new chapter created in section 110(2) of this act)
30 and a service center operator license at the same or different
31 premises.

32 **PSYCHEDELIC SUBSTANCE SERVICES**

33 NEW SECTION. **Sec. 32.** (1) A licensee or licensee representative
34 who relies on information provided by a client before sale or service
35 of a psychedelic substance to a client may not be found guilty or

1 civilly liable for any offense relating to the sale or service of the
2 psychedelic substance unless it is demonstrated that a reasonable
3 person would have determined that the responses provided by the
4 client were incorrect or altered.

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

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

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

14 (3) Except as provided in subsection (2) of this section, no
15 licensee or licensee representative shall incur legal liability by
16 virtue of any untrue statements, declarations, or representations so
17 relied upon in good faith by the licensee or licensee representative.

18 NEW SECTION. **Sec. 33.** (1) Subject to other applicable law, a
19 licensee or licensee representative may refuse to provide psychedelic
20 substance services to a potential client for any or no reason.

21 (2) (a) Except as provided in (b) of this subsection, and subject
22 to other applicable law, a licensee or licensee representative may
23 cease providing psychedelic substance services to a client for any or
24 no reason.

25 (b) A service center operator and a facilitator may not cease
26 providing psychedelic substance services to a client during an
27 administration session after the client has consumed a psychedelic
28 substance, except as authorized by the department by rule, or as
29 necessary in an emergency.

30 **POWERS AND DUTIES OF THE DEPARTMENT OF HEALTH WITH RESPECT TO**
31 **LICENSEES**

32 NEW SECTION. **Sec. 34.** The department serves as the disciplinary
33 authority for this chapter under the uniform disciplinary act,
34 chapter 18.130 RCW, which governs unlicensed practice, the issuance
35 and denial of licenses, and the discipline of persons licensed under
36 this chapter, except as explicitly provided in this chapter or by
37 rules adopted by the department. The department must establish and

1 apply specific standards of practice and professional responsibility
2 tailored for individuals licensed by the department to facilitate
3 psychedelic substance services.

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

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

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

14 NEW SECTION. **Sec. 36.** The department may require a licensee to
15 maintain general liability insurance in an amount that the department
16 determines is both reasonably affordable and available for the
17 purpose of protecting the licensee against damages resulting from a
18 cause of action related to activities undertaken under the license
19 held by the licensee.

20 NEW SECTION. **Sec. 37.** In addition to any other disciplinary
21 action available to the department under chapter 18.130 RCW or this
22 chapter, the department may immediately restrict, suspend, or refuse
23 to renew a license issued under this chapter if it has probable cause
24 to conclude that a licensee has purchased or received a psychedelic
25 substance from an unlicensed source or that a licensee has sold,
26 stored, or transferred a psychedelic substance in a manner that is
27 not permitted by the licensee's license.

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

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

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

4 (2) The department may refuse to issue, or may suspend, revoke,
5 or refuse to renew, a license issued under this chapter if the
6 department determines that a person that has a financial interest in
7 the business operating or to be operated under the license committed
8 or failed to commit an act that would constitute grounds for the
9 department to refuse to issue, or to suspend, revoke, or refuse to
10 renew, the license if the person were the licensee or applicant for
11 the license.

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

14 (1) Psychedelic substances left by a deceased, insolvent, or
15 bankrupt person or licensee, or subject to a security interest, may
16 be foreclosed, sold under execution, or otherwise disposed;

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

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

23 **EMPLOYEES AND OTHER WORKERS**

24 NEW SECTION. **Sec. 40.** (1) An individual who performs work for
25 or on behalf of a licensee must have a valid permit issued by the
26 department if the individual participates in:

27 (a) The provision of psychedelic substance services;

28 (b) The possession, securing, or selling of psychedelic
29 substances; or

30 (c) The recording of the possession, securing, or selling of
31 psychedelic substances.

32 (2) A licensee must verify that an individual has a valid permit
33 before allowing the individual to perform any work described in
34 subsection (1) of this section.

35 (3) The department shall issue permits to qualified applicants to
36 perform work described in subsection (1) of this section. The
37 department shall adopt rules establishing:

1 (a) The term of a permit issued under this section;

2 (b) Procedures for applying for and renewing a permit issued
3 under this section; and

4 (c) Reasonable application, issuance, and renewal fees for a
5 permit issued under this section.

6 (4) (a) The department may require an individual applying for a
7 permit under this section to successfully complete a course, made
8 available by or through the department or third-party provider,
9 through which the individual receives training on:

10 (i) Checking identification;

11 (ii) Handling psychedelic substances;

12 (iii) If applicable, the manufacturing of psychedelic substances;

13 (iv) The content of this chapter and rules adopted under this
14 chapter; or

15 (v) Any matter deemed necessary by the department to protect the
16 public health and safety.

17 (b) The department or other provider of a course may charge a
18 reasonable fee to applicants taking the course.

19 (c) The department may not require an individual to successfully
20 complete a course more than once, except that:

21 (i) As part of a final order suspending a permit issued under
22 this section, the department may require a permit holder to
23 successfully complete the course as a condition of lifting the
24 suspension; and

25 (ii) As part of a final order revoking a permit issued under this
26 section, the department shall require an individual to successfully
27 complete the course before applying for a new permit.

28 (5) The department shall conduct a criminal records check under
29 RCW 18.130.064 on an individual applying for a permit under this
30 section.

31 (6) Subject to the applicable provisions of chapter 18.130 RCW,
32 the department may suspend, revoke, or refuse to issue or renew a
33 permit if the individual who is applying for or who holds the permit:

34 (a) Is convicted of a felony or is convicted of an offense under
35 this chapter;

36 (b) Violates any provision of this chapter or any rule adopted
37 under this chapter; or

38 (c) Makes a false statement to the department.

1 (7) A permit issued under this section is a personal privilege
2 and permits work described under subsection (1) of this section only
3 for the individual who holds the permit.

4 **PSYCHEDELIC SUBSTANCE FACILITATION CONTROL AND REGULATION ACCOUNT**

5 NEW SECTION. **Sec. 41.** The psychedelic substance facilitation
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 or the secretary's
11 designee may authorize expenditures from the account. The account is
12 subject to allotment procedures under chapter 43.88 RCW, but an
13 appropriation is not required for expenditures.

14 **PROHIBITED CONDUCT**

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

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

20 (3) If a piece of identification is offered as evidence in any
21 administrative or criminal prosecution of a licensee or licensee
22 representative for sale or service of a psychedelic substance to a
23 person under 21 years of age, the licensee or licensee representative
24 is not guilty of any offense prohibiting a person from selling or
25 serving a psychedelic substance to a person under 21 years of age
26 unless it is demonstrated that a reasonable person would have
27 determined that the identification exhibited by the person under 21
28 years of age was altered, or that the identification exhibited by the
29 person under 21 years of age did not accurately describe the person
30 to whom the psychedelic substance was sold or served.

31 **CIVIL ENFORCEMENT**

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

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

9 **CRIMINAL ENFORCEMENT**

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

19 NEW SECTION. **Sec. 46.** The county courts, prosecuting attorneys,
20 and municipal authorities, immediately upon the conviction of a
21 licensee of a violation of this chapter, or of a violation of any
22 other law of this state or of a city or county located in this state
23 an element of which is the possession, delivery, or manufacture of a
24 psychedelic substance, must notify the department of the conviction.

25 NEW SECTION. **Sec. 47.** 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 PSYCHEDELIC SUBSTANCE PRODUCTS**

28 NEW SECTION. **Sec. 48.** 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.

32 NEW SECTION. **Sec. 49.** The authority to require a license for
33 the manufacturing or sale of a psychedelic substance in this state,

1 or for the provision of psychedelic substance services in this state,
2 is vested solely in the legislature.

3 NEW SECTION. **Sec. 50.** (1) The governing body of a city or
4 county may adopt ordinances that impose reasonable regulations on the
5 operation of businesses located at premises for which a license has
6 been issued under this chapter or chapter 66.--- RCW (the new chapter
7 created in section 110(2) of this act) if the premises are located in
8 the area subject to the jurisdiction of the city or county.

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

11 (a) Reasonable conditions on the manner in which a psychedelic
12 substance manufacturer that holds a license issued under section 23
13 of this act may manufacture psychedelic substances;

14 (b) Reasonable conditions on the manner in which a service center
15 operator may provide psychedelic substance services;

16 (c) Reasonable limitations on the hours during which a premises
17 for which a license has been issued under this chapter or chapter
18 66.--- RCW (the new chapter created in section 110(2) of this act)
19 may operate, but these limitations may not require a client to leave
20 an administration session while under the effects of a psychedelic
21 substance; and

22 (d) Reasonable requirements related to the public's access to a
23 premises for which a license has been issued under this chapter or
24 chapter 66.--- RCW (the new chapter created in section 110(2) of this
25 act).

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

29 (4) The governing body of a city or county may not impose
30 restrictions on licensees under this chapter or chapter 66.--- RCW
31 (the new chapter created in section 110(2) of this act) that restrict
32 the proximity of the licensee to a school or other specific entity or
33 location.

34 (5) The governing body of a city or county that adopts an
35 ordinance may not impose a tax or fee on the manufacturing or sale of
36 psychedelic substances.

37 NEW SECTION. **Sec. 51.** (1) The authority to impose a tax or fee
38 on the manufacturing or sale of psychedelic substances in this state,

1 or on the provision of psychedelic substance services in this state,
2 is vested solely in the legislature.

3 (2) A county, city, or other municipal corporation or district
4 may not adopt or enact ordinances imposing a tax or fee on the
5 manufacturing or sale of psychedelic substances in this state or on
6 the provision of psychedelic substance services in this state.

7 **POWERS AND DUTIES OF STATE AGENCIES AND OFFICERS AND THE GOVERNOR**

8 NEW SECTION. **Sec. 52.** A person may not sue the department, or
9 any employee of the department, for performing or omitting to perform
10 any duty, function, or power of the entity set forth under this
11 chapter or in any other law of this state requiring these entities to
12 perform a duty, function, or power related to psychedelic substance
13 products.

14 NEW SECTION. **Sec. 53.** Subject to RCW 10.105.010 and 69.50.505
15 and chapter 34.05 RCW, any state officer, board, commission,
16 corporation, institution, department, or other state body, and any
17 local officer, board, commission, institution, department, or other
18 local government body, that is authorized by the laws of this state
19 to perform a duty, function, or power with respect to a psychedelic
20 substance, may purchase, possess, seize, or dispose of the
21 psychedelic substance as the state officer, board, commission,
22 corporation, institution, department, or other state body, or the
23 local officer, board, commission, institution, department, or other
24 local government body, considers necessary to ensure compliance with
25 and enforce the applicable law or any rule adopted under the
26 applicable law.

27 NEW SECTION. **Sec. 54.** In case of invasion, disaster,
28 insurrection, or riot, or imminent danger of invasion, disaster,
29 insurrection, or riot, the governor may, for the duration of the
30 invasion, disaster, insurrection, or riot, or imminent danger,
31 immediately and without notice suspend, in the area involved, any
32 license or permit issued under this chapter.

33 **CLIENT BILL OF RIGHTS**

1 NEW SECTION. Sec. 55. Clients receiving psychedelic substance
2 services in Washington must:

3 (1) Be treated with dignity and respect while receiving
4 psychedelic substance services;

5 (2) Receive culturally competent care;

6 (3) Be free from physical, sexual, psychological, and financial
7 abuse before, during, and after receiving psychedelic substance
8 services;

9 (4) Be fully informed of, and helped to understand, the risks
10 associated with psychedelic substance services;

11 (5) Make decisions autonomously, free of coercion and undue
12 influence;

13 (6) Be provided privacy and confidentiality;

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

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

20 (9) Have their belongings stored securely while receiving
21 psychedelic substance services;

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

36 NEW SECTION. Sec. 56. (1) A physician, physician assistant,
37 advanced practice registered nurse, psychologist, social worker,
38 mental health counselor, marriage and family therapist, or other

1 health professional as defined under section 6 of this act, shall not
2 be subject to arrest, prosecution, or penalty in any manner, or
3 denied any right or privilege including, but not limited to, civil
4 penalty or disciplinary action by the department, the Washington
5 medical commission, or any other business or occupational or
6 professional licensing board or bureau, solely for advising or
7 counseling a person relating to use of a psychedelic substance, or
8 for stating that, in the person's professional opinion, a patient is
9 likely to receive therapeutic or palliative benefit from the use of a
10 psychedelic substance to alleviate the patient's medical or
11 behavioral health condition or associated symptoms. Nothing in this
12 section prevents a professional licensing board from sanctioning a
13 professional for failing to properly evaluate a patient's medical or
14 behavioral health condition or otherwise violating the standard of
15 care for evaluating medical or behavioral health conditions.

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

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

29 NEW SECTION. **Sec. 57.** An employer in the state of Washington
30 may not discriminate against an employee for receiving psychedelic
31 substance services as sanctioned under this chapter absent the
32 employee's visible impairment at work and may not test an employee
33 for the presence of a psychedelic substance unless they exhibit
34 clear, observable symptoms of impairment.

35 **LIQUOR AND CANNABIS BOARD PROVISIONS**

36 NEW SECTION. **Sec. 58.** This chapter may not be construed:

1 (1) To prohibit a recipient of a federal grant or an applicant
2 for a federal grant from prohibiting the manufacture, delivery,
3 possession, or use of psychedelic substances to the extent necessary
4 to satisfy federal requirements for the grant;

5 (2) To prohibit a party to a federal contract or a person
6 applying to be a party to a federal contract from prohibiting the
7 manufacture, delivery, possession, or use of psychedelic substances
8 to the extent necessary to comply with the terms and conditions of
9 the contract or to satisfy federal requirements for the contract; or

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

11 NEW SECTION. **Sec. 59.** The definitions in this section apply
12 throughout this chapter unless the context clearly requires
13 otherwise.

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

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

16 (3) "Facilitator" means a person licensed by the department as a
17 facilitator, associate facilitator, clinical facilitator, or
18 associate clinical facilitator under chapter 18.--- RCW (the new
19 chapter created in section 110(1) of this act).

20 (4) "Laboratory" means an entity licensed under this chapter to
21 test psychedelic substances.

22 (5) "Manufacture" means the manufacture, planting, cultivation,
23 growing, harvesting, production, preparation, propagation,
24 compounding, conversion, or processing of a psychedelic substance,
25 either directly or indirectly, by extraction from substances of
26 natural origin, or independently by means of chemical synthesis, or
27 by a combination of extraction and chemical synthesis, and includes
28 any packaging or repackaging of the psychedelic substance or labeling
29 or relabeling of its container.

30 (6) "Manufacturer" means a person licensed in Washington to
31 manufacture a psychedelic substance.

32 (7) "Psilocybin" means psilocybin or psilocin, either naturally
33 occurring or produced using chemical synthesis, and includes products
34 containing psilocybin-producing fungi or which have been infused with
35 a detectable amount of psilocybin or psilocin.

36 (8) "Psychedelic substance" has the same meaning as in section 6
37 of this act.

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

1 (10) "Service center operator" has the same meaning as in section
2 6 of this act.

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

5 **TRANSPORTATION OF PSYCHEDELIC SUBSTANCES**

6 NEW SECTION. **Sec. 60.** (1) An employee of a service center, or
7 an employee of a manufacturer or laboratory, may transport and
8 deliver a psychedelic substance only to:

- 9 (a) A service center;
- 10 (b) A laboratory or manufacturer;
- 11 (c) A health care facility licensed by the department and
12 registered with the department as a location where administration
13 sessions may be performed;
- 14 (d) An entity conducting an approved research study related to
15 psychedelic substances that has obtained a temporary location permit
16 from the department; or

17 (e) A facilitator, if the delivery of the psychedelic substance
18 is to a location directed by the facilitator and the facilitator is
19 present to receive the psychedelic substance at the time of delivery.

20 (2) Rules adopted under this chapter must not prohibit a
21 facilitator from transporting a psychedelic substance to and from
22 administration session locations and locations where storage of
23 psychedelic substances are authorized under section 19 of this act.

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

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

31 **STORAGE OF PSYCHEDELIC SUBSTANCES**

32 NEW SECTION. **Sec. 61.** Psychedelic substances regulated by this
33 chapter may be stored at:

- 34 (1) A service center, manufacturer, or laboratory;
- 35 (2) As permitted in chapter 18.--- RCW (the new chapter created
36 under section 110(1) of this act), in a limited access location at a

1 health care facility licensed by the department and registered with
2 the department as a location where an administration session may be
3 held; or

4 (3) As permitted under chapter 18.--- RCW (the new chapter
5 created in section 110(1) of this act), by a facilitator.

6 **POWERS OF THE LIQUOR AND CANNABIS BOARD**

7 NEW SECTION. **Sec. 62.** (1) A regulated psychedelic substances
8 program is established in the board.

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

12 (a) Establishing procedures for tracking psychedelic substances
13 from the point of manufacture to the point of sale to a client of a
14 facilitator, clinical facilitator, or service center, that includes
15 any intermediate sale or purchases between licensees, transfers, and
16 other activities permitted by this chapter, to prevent diversion of
17 psychedelic substances to other states or unauthorized users, protect
18 products from tampering or substitution, and ensure compliance with
19 other rules adopted under this chapter; and

20 (b) Establishing labeling requirements for psychedelic substances
21 that require labels that are nondeceptive, would not be visually
22 appealing to children, and clearly and accurately indicate the
23 contents of any container for a psychedelic substance.

24 (3) The rules may not:

25 (a) Require that a psychedelic substance product be manufactured
26 by means of chemical synthesis;

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

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

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

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

33 (b) The department of agriculture on rules relating to the
34 manufacture and testing of psychedelic substances.

35 NEW SECTION. **Sec. 63.** The jurisdiction, supervision, duties,
36 functions, and powers held by the board under this section are not

1 shared by the pharmacy quality assurance commission under chapter
2 18.64 RCW.

3 **TWO-YEAR PROGRAM DEVELOPMENT PERIOD**

4 NEW SECTION. **Sec. 64.** By October 31, 2027, the board must adopt
5 rules and establish forms necessary for the implementation of this
6 chapter.

7 **APPLICATION PROCESS AND LICENSES**

8 NEW SECTION. **Sec. 65.** Beginning November 1, 2027, the board
9 must begin accepting applications for the licensing of persons to:

- 10 (1) Manufacture psychedelic substances; and
11 (2) Test psychedelic substances.

12 NEW SECTION. **Sec. 66.** (1) The board may establish procedures
13 for licensure and renewal of licenses under this chapter.

14 (2) The board must approve or deny an application to be licensed
15 under this chapter without unreasonable delay.

16 NEW SECTION. **Sec. 67.** (1) The board may not license an
17 applicant under this chapter if the applicant is under 21 years of
18 age, nor may a licensee employ any person under 21 years of age at a
19 premises for which a license has been issued under this chapter.

20 (2) The board may refuse to issue a license, or may issue a
21 restricted license, to an applicant under this chapter if the board
22 finds that the applicant:

- 23 (a) Has made false statements to the board;
24 (b) Demonstrates a lack of capacity or incompetency to carry on
25 the management of the establishment proposed to be licensed;
26 (c) Has been convicted of violating a federal law, state law, or
27 local ordinance if the conviction is substantially related to the
28 fitness and ability of the applicant to lawfully carry out activities
29 under the license;
30 (d) Is not of good repute and moral character;
31 (e) Does not have a good record of compliance with this chapter
32 or any rule adopted under this chapter;

1 (f) Is not the legitimate owner of the premises proposed to be
2 licensed, or has not disclosed that other persons have ownership
3 interests in the premises proposed to be licensed; or

4 (g) Is unable to understand the laws or the rules relating to
5 psychedelic substances.

6 (3) In determining whether to issue a license or a restricted
7 license to an applicant, the board may not consider the prior
8 conviction of the applicant or any owner, director, officer, manager,
9 employee, agent, or other representative of the applicant for:

10 (a) The manufacture of a psychedelic substance or the manufacture
11 of a cannabis item; or

12 (b) The possession of a controlled substance.

13 NEW SECTION. **Sec. 68.** A license issued under this chapter:

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

16 (2) Is revocable or suspendable;

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

21 (4) Does not constitute property;

22 (5) Is not alienable;

23 (6) Is not subject to attachment or execution;

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

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

28 **LICENSEES IN GENERAL**

29
30 NEW SECTION. **Sec. 69.** Licensees and licensee representatives
31 may manufacture, deliver, and possess psychedelic substances subject
32 to this chapter. The manufacture, delivery, or possession of
33 psychedelic substances by a licensee or a licensee representative in
34 compliance with this chapter does not constitute a criminal or civil
35 offense under the laws of this state.

36 NEW SECTION. **Sec. 70.** (1) A person may hold multiple licenses.

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

3 **LICENSE TO MANUFACTURE PSYCHEDELIC SUBSTANCES**

4 NEW SECTION. **Sec. 71.** (1) The manufacture of psychedelic
5 substances is subject to regulation by the board.

6 (2) A manufacturer must have a manufacturer license issued by the
7 board for the premises at which the psychedelic substances are
8 manufactured.

9 (3) If the applicant is not the owner of the premises at which
10 the psychedelic substance is to be manufactured, the applicant must
11 submit to the board signed informed consent from the owner of the
12 premises to manufacture psychedelic substances at the premises.

13 (4) The board shall adopt rules that require psychedelic
14 substances manufactured to be tested in accordance with section 91 of
15 this act.

16 (5) Licensure fees may not exceed, together with other fees
17 collected under this chapter, the cost of administering this chapter,
18 and must be deposited in the psychedelic substance manufacture and
19 testing control and regulation account under section 79 of this act.

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

21 NEW SECTION. **Sec. 72.** The board serves as the disciplinary
22 authority for this chapter.

23 NEW SECTION. **Sec. 73.** (1) The board may, after 72 hours'
24 notice, make an examination of the books of a licensee to determine
25 compliance with rules adopted under this chapter.

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

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

32 NEW SECTION. **Sec. 74.** The board may require a licensee to
33 maintain general liability insurance in an amount that the board
34 determines is both reasonably affordable and available to protect the

1 licensee against damages resulting from a cause of action related to
2 activities undertaken under the license held by the licensee.

3 NEW SECTION. **Sec. 75.** The board may immediately restrict,
4 suspend, or refuse to renew a license issued under this chapter if it
5 has probable cause to conclude that a licensee has purchased or
6 received a psychedelic substance from an unlicensed source or that a
7 licensee has sold, stored, or transferred a psychedelic substance in
8 a manner that is not permitted by the licensee's license.

9 NEW SECTION. **Sec. 76.** (1) The board may require a licensee or
10 applicant for a license under this chapter to submit, in a form and
11 manner prescribed by the department, to the department a sworn
12 statement showing:

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

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

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

27 NEW SECTION. **Sec. 77.** The board may provide for the manner and
28 conditions under which:

29 (1) Psychedelic substances left by a deceased, insolvent, or
30 bankrupt person or licensee, or subject to a security interest, may
31 be foreclosed, sold under execution, or otherwise disposed;

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

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

1 **EMPLOYEES AND OTHER WORKERS**

2 NEW SECTION. **Sec. 78.** (1) An individual who performs work for
3 or on behalf of a licensee must have a valid permit issued by the
4 board if the individual participates in:

5 (a) The possession, manufacturing, securing, or selling of
6 psychedelic substances; or

7 (b) The recording of the possession, manufacturing, securing, or
8 selling of psychedelic substances.

9 (2) A licensee must verify that an individual has a valid permit
10 before allowing the individual to perform any work described in
11 subsection (1) of this section.

12 (3) The board shall issue permits to qualified applicants to
13 perform work described in subsection (1) of this section.

14 (4) A permit issued under this section is a personal privilege
15 and permits work described under subsection (1) of this section only
16 for the individual who holds the permit.

17 **PSYCHEDELIC SUBSTANCE MANUFACTURE AND TESTING CONTROL AND REGULATION**
18 **ACCOUNT**

19 NEW SECTION. **Sec. 79.** The psychedelic substance manufacture and
20 testing control and regulation account is created in the custody of
21 the state treasurer. All receipts from fees collected and civil
22 penalties issued under this chapter must be deposited into the
23 account. Expenditures may be used only for the purpose of
24 administration and enforcement of this chapter. Only the secretary of
25 the department or the secretary's designee may authorize expenditures
26 from the account. The account is subject to allotment procedures
27 under chapter 43.88 RCW, but an appropriation is not required for
28 expenditures.

29 **CIVIL ENFORCEMENT**

30 NEW SECTION. **Sec. 80.** For purposes of this chapter, subpoenas
31 issued by the board and its authorized agents must comply with RCW
32 43.70.090.

33 NEW SECTION. **Sec. 81.** In addition to any other liability or
34 penalty provided by law, the board may impose for each violation of a

1 provision of this chapter or a rule adopted under this chapter a
2 civil penalty up to \$5,000 for each violation. The board must impose
3 civil penalties under this section in the manner provided by RCW
4 43.70.095. Money collected under this section must be deposited in
5 the psychedelic substance manufacture and testing control and
6 regulation account.

7 **CRIMINAL ENFORCEMENT**

8 NEW SECTION. **Sec. 82.** Law enforcement officers of this state
9 may enforce this chapter and assist the department in detecting
10 violations of this chapter and apprehending offenders. A law
11 enforcement officer who has notice, knowledge, or reasonable ground
12 of suspicion of a violation of this chapter must immediately notify
13 the prosecuting attorney who has jurisdiction over the violation and
14 furnish the prosecuting attorney with names and addresses of any
15 witnesses to the violation or other information related to the
16 violation.

17 NEW SECTION. **Sec. 83.** The county courts, prosecuting attorneys,
18 and municipal authorities, immediately upon the conviction of a
19 licensee of a violation of this chapter, or of a violation of any
20 other law of this state or of a city or county located in this state
21 an element of which is the possession, delivery, or manufacture of a
22 psychedelic substance, must notify the department of the conviction.

23 NEW SECTION. **Sec. 84.** Subject to chapter 7.80 RCW, a violation
24 of a rule adopted under this chapter is a class 2 civil infraction.

25 **POWERS AND DUTIES OF STATE AGENCIES AND OFFICERS AND THE GOVERNOR**

26 NEW SECTION. **Sec. 85.** The department of agriculture must assist
27 and cooperate with the department to the extent necessary for the
28 department to carry out the duties under this chapter.

29 NEW SECTION. **Sec. 86.** The department of agriculture may
30 possess, test, and dispose of psychedelic substance products.

31 NEW SECTION. **Sec. 87.** A person may not sue the board, a member
32 of the board, the department of agriculture, or any employee of these

1 entities for performing or omitting to perform any duty, function, or
2 power of the entity set forth under this chapter or in any other law
3 of this state requiring these entities to perform a duty, function,
4 or power related to psychedelic substance products.

5 NEW SECTION. **Sec. 88.** Subject to RCW 10.105.010 and 69.50.505
6 and chapter 34.05 RCW, any state officer, board, commission,
7 corporation, institution, department, or other state body, and any
8 local officer, board, commission, institution, department, or other
9 local government body, that is authorized by the laws of this state
10 to perform a duty, function, or power with respect to a psychedelic
11 substance, may purchase, possess, seize, or dispose of the
12 psychedelic substance as the state officer, board, commission,
13 corporation, institution, department, or other state body, or the
14 local officer, board, commission, institution, department, or other
15 local government body, considers necessary to ensure compliance with
16 and enforce the applicable law or any rule adopted under the
17 applicable law.

18 NEW SECTION. **Sec. 89.** In case of invasion, disaster,
19 insurrection, or riot, or imminent danger of invasion, disaster,
20 insurrection, or riot, the governor may, for the duration of the
21 invasion, disaster, insurrection, or riot, or imminent danger,
22 immediately and without notice suspend, in the area involved, any
23 license or permit issued under this chapter.

24 **OTHER PROVISIONS**

25 NEW SECTION. **Sec. 90.** (1) The department of agriculture may not
26 exercise authority over psychedelic substances or a licensee, except
27 as provided by the department in rule.

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

30 (a) Establish standards for psychedelic substances as a food
31 additive, as defined under RCW 15.130.110;

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

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

1 **TESTING OF PSYCHEDELIC SUBSTANCES**

2 NEW SECTION. **Sec. 91.** (1) As is necessary to protect the public
3 health and safety, and in consultation with the department of
4 agriculture, the board must adopt rules:

5 (a) Establishing standards for testing psychedelic substances;

6 (b) Identifying appropriate tests for psychedelic substances,
7 depending on the type of psychedelic substance and the manner in
8 which the psychedelic substance was manufactured, that are necessary
9 to protect the public health and safety, which may include, but not
10 be limited to, tests for:

11 (i) Microbiological contaminants;

12 (ii) Pesticides;

13 (iii) Other contaminants;

14 (iv) Solvents or residual solvents; and

15 (v) Psychedelic substance concentration;

16 (c) Establishing procedures for determining batch sizes and for
17 sampling psychedelic substances; and

18 (d) Establishing different minimum standards for different
19 varieties of psychedelic substances.

20 (2) In addition to the testing requirements established under
21 subsection (1) of this section, the board may require psychedelic
22 substances to be tested in accordance with any applicable law of this
23 state, or any applicable rule adopted under a law of this state,
24 related to the production and processing of food products or
25 commodities.

26 (3) In adopting rules under this chapter, the board may require a
27 manufacturer that holds a license under this chapter to test
28 psychedelic substances before selling or transferring the psychedelic
29 substances.

30 (4) The board may conduct random testing of psychedelic
31 substances for the purpose of determining whether a licensee subject
32 to testing under subsection (3) of this section is in compliance with
33 this section.

34 (5) In adopting rules to implement this section, the board may
35 not require a psychedelic substance to undergo the same test more
36 than once unless the psychedelic substance is processed into a
37 different type of psychedelic substance or the condition of the
38 psychedelic substance has fundamentally changed.

1 (6) The testing of psychedelic substances as required by this
2 section must be conducted by a laboratory licensed by the board under
3 this chapter and accredited by the department under this chapter.

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

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

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

10 NEW SECTION. **Sec. 92.** (1) A laboratory that conducts testing of
11 psychedelic substances must be licensed by the board to operate at
12 the premises at which the psychedelic substances are tested.

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

15 (a) Qualifications to be licensed under this section, including
16 that an applicant for licensure under this section must be accredited
17 by the department;

18 (b) Processes for applying for and renewing a license under this
19 section;

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

22 (d) Procedures for:

23 (i) Tracking psychedelic substances to be tested;

24 (ii) Documenting and reporting test results; and

25 (iii) Disposing of samples of psychedelic substances that have
26 been tested.

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

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

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

33 (6) Fees collected under this section must be deposited in the
34 psychedelic substance manufacture and testing control and regulation
35 account.

36 NEW SECTION. **Sec. 93.** (1) In addition to any other liability or
37 penalty provided by law, the board may impose upon a laboratory
38 licensed under this chapter that violates the law or a rule

1 established under this chapter a civil penalty that does not exceed
2 \$500 for each day that the violation occurs.

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

5 (3) Money collected under this section must be deposited in the
6 psychedelic substance manufacture and testing control and regulation
7 account.

8 **PACKAGING, LABELING, AND DOSAGE OF PSYCHEDELIC SUBSTANCE PRODUCTS**

9 NEW SECTION. **Sec. 94.** (1) As is necessary to protect the public
10 health and safety, and in consultation with the department of
11 agriculture and department, the board must adopt rules establishing
12 standards for the labeling of psychedelic substances including, but
13 not limited to:

14 (a) Ensuring that psychedelic substances have labeling that
15 communicates:

16 (i) Health and safety warnings;

17 (ii) If applicable, activation time;

18 (iii) Potency;

19 (iv) If applicable, serving size and the number of servings
20 included in a psychedelic substance product; and

21 (v) Content of the psychedelic substance product; and

22 (b) Labeling that is in accordance with applicable state food
23 labeling requirements for the same type of food product or potable
24 liquid when the food product or potable liquid does not contain a
25 psychedelic substance.

26 (2) The board must require all psychedelic substances provided
27 for sale or transferred to a service center to be labeled in
28 accordance with subsection (1) of this section and rules adopted
29 under subsection (1) of this section.

30 (3) In adopting rules under subsection (1) of this section, the
31 board:

32 (a) May establish different labeling standards for different
33 varieties and types of psychedelic substances;

34 (b) Shall consider the cost of a potential requirement and how
35 that cost will affect the cost to the ultimate client; and

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

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

6 NEW SECTION. **Sec. 95.** (1) The board may by rule require a
7 licensee to submit a label or packaging intended for use on a
8 psychedelic substance product for preapproval by the board before the
9 licensee may sell or transfer a psychedelic substance bearing the
10 label or packaging.

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

14 NEW SECTION. **Sec. 96.** (1) As is necessary to protect the public
15 health and safety, and in consultation with the department of
16 agriculture and the department, the board must adopt rules
17 establishing standards for the packaging of psychedelic substances
18 including, but not limited to, ensuring that psychedelic substances
19 are not marketed in a manner that:

20 (a) Is untruthful or misleading; or

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

23 (2) In adopting rules under this chapter, the board must require
24 all psychedelic substances sold by or transferred by a service center
25 to be packaged in accordance with subsection (1) of this section and
26 rules adopted under subsection (1) of this section.

27 (3) In adopting rules under subsection (1) of this section, the
28 board:

29 (a) May establish different packaging standards for different
30 varieties and types of psychedelic substances;

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

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

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

1 NEW SECTION. **Sec. 97.** (1) The board must adopt rules
2 establishing:

3 (a) The maximum concentration of a psychedelic substance that is
4 permitted in a single serving of a psychedelic substance product; and

5 (b) The number of servings that are permitted in a psychedelic
6 substance package.

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

11 NEW SECTION. **Sec. 98.** A new section is added to chapter 42.56
12 RCW to read as follows:

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

16 (a) Personally identifiable information;

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

19 (c) Related to the security plan or the operational plan for a
20 premises for which a license has been issued or for which an
21 applicant has proposed licensure under this chapter; or

22 (d) Related to any record that the department determines contains
23 proprietary information of a licensee.

24 (2) The exemption from public disclosure as provided by this
25 section does not apply to:

26 (a) The name of an individual listed on an application, if the
27 individual is a direct owner of the business operating or to be
28 operated under the license; or

29 (b) A request for information if the request is made by a law
30 enforcement agency.

31 (3) For purposes of subsection (2)(a) of this section, an
32 individual is not a direct owner of the business operating or to be
33 operated under the license if:

34 (a) The direct owner of the business operating or to be operated
35 under the license is a legal entity; and

36 (b) The individual is merely a general partner, limited partner,
37 member, shareholder, or other direct or indirect owner of the legal
38 entity.

1 **Sec. 99.** RCW 7.48.310 and 2009 c 200 s 3 are each amended to
2 read as follows:

3 For the purposes of RCW 7.48.305 only:

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

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

27 (3) "Farmland" means land or freshwater ponds devoted primarily
28 to the production, for commercial purposes, of livestock, freshwater
29 aquacultural, or other farm products. "Farmland" includes the
30 premises in which a psychedelic substance as defined under section 6
31 of this act is manufactured.

32 (4) "Farm product" means those plants and animals useful to
33 humans and includes, but is not limited to, forages and sod crops,
34 dairy and dairy products, poultry and poultry products, livestock,
35 including breeding, grazing, and recreational equine use, fruits,
36 vegetables, flowers, seeds, grasses, trees, freshwater fish and fish
37 products, apiaries and apiary products, psychedelic substances as
38 defined under section 6 of this act, equine and other similar
39 products, or any other product which incorporates the use of food,
40 feed, fiber, or fur.

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

10 NEW SECTION. **Sec. 100.** A new section is added to chapter 15.130
11 RCW to read as follows:

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

14 (a) Establish standards for psychedelic substances as a food
15 additive;

16 (b) Consider psychedelic substances to be an adulterant, unless
17 the concentration of a psychedelic substance exceeds acceptable
18 levels established by the department of health by rule; or

19 (c) Apply or enforce RCW 15.130.200 through 15.130.230 to
20 psychedelic substances.

21 (2) For the purpose of this section, "psychedelic substance" has
22 the same meaning as defined under section 6 of this act.

23 **Sec. 101.** RCW 69.50.101 and 2024 c 62 s 17 are each amended to
24 read as follows:

25 The definitions in this section apply throughout this chapter
26 unless the context clearly requires otherwise.

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

30 (a) a practitioner authorized to prescribe (or, by the
31 practitioner's authorized agent); or

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

34 (2) "Agent" means an authorized person who acts on behalf of or
35 at the direction of a manufacturer, distributor, or dispenser. It
36 does not include a common or contract carrier, public
37 warehouseperson, or employee of the carrier or warehouseperson.

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

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

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

10 (6) "Cannabis processor" means a person licensed by the board to
11 process cannabis into cannabis concentrates, useable cannabis, and
12 cannabis-infused products, package and label cannabis concentrates,
13 useable cannabis, and cannabis-infused products for sale in retail
14 outlets, and sell cannabis concentrates, useable cannabis, and
15 cannabis-infused products at wholesale to cannabis retailers.

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

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

24 (b) "Cannabis products" also means any product containing only
25 THC content.

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

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

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

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

1 (12) "CBD concentration" has the meaning provided in RCW
2 69.51A.010.

3 (13) "CBD product" means any product containing or consisting of
4 cannabidiol.

5 (14) "Commission" means the pharmacy quality assurance
6 commission.

7 (15) "Controlled substance" means a drug, substance, or immediate
8 precursor included in Schedules I through V as set forth in federal
9 or state laws, or federal or commission rules, but does not include
10 (~~hemp~~):

11 (a) Hemp or industrial hemp as defined in RCW 15.140.020; or

12 (b) A psychedelic substance as defined under section 6 of this
13 act, but only if, and to the extent that, a person manufactures,
14 delivers, or possesses the psychedelic substance in accordance with
15 the provisions of chapter 18.--- or 66.--- RCW (the new chapters
16 created in section 110 of this act) and rules adopted under those
17 chapters.

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

21 (i) that has a stimulant, depressant, or hallucinogenic effect on
22 the central nervous system substantially similar to the stimulant,
23 depressant, or hallucinogenic effect on the central nervous system of
24 a controlled substance included in Schedule I or II; or

25 (ii) with respect to a particular individual, that the individual
26 represents or intends to have a stimulant, depressant, or
27 hallucinogenic effect on the central nervous system substantially
28 similar to the stimulant, depressant, or hallucinogenic effect on the
29 central nervous system of a controlled substance included in Schedule
30 I or II.

31 (b) The term does not include:

32 (i) a controlled substance;

33 (ii) a substance for which there is an approved new drug
34 application;

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

1 (iv) any substance to the extent not intended for human
2 consumption before an exemption takes effect with respect to the
3 substance.

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

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

8 (19) "Designated provider" has the meaning provided in RCW
9 69.51A.010.

10 (20) "Dispense" means the interpretation of a prescription or
11 order for a controlled substance and, pursuant to that prescription
12 or order, the proper selection, measuring, compounding, labeling, or
13 packaging necessary to prepare that prescription or order for
14 delivery.

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

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

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

19 (24) "Drug" means (a) a controlled substance recognized as a drug
20 in the official United States pharmacopoeia/national formulary or the
21 official homeopathic pharmacopoeia of the United States, or any
22 supplement to them; (b) controlled substances intended for use in the
23 diagnosis, cure, mitigation, treatment, or prevention of disease in
24 individuals or animals; (c) controlled substances (other than food)
25 intended to affect the structure or any function of the body of
26 individuals or animals; and (d) controlled substances intended for
27 use as a component of any article specified in (a), (b), or (c) of
28 this subsection. The term does not include devices or their
29 components, parts, or accessories.

30 (25) "Drug enforcement administration" means the drug enforcement
31 administration in the United States Department of Justice, or its
32 successor agency.

33 (26) "Electronic communication of prescription information" means
34 the transmission of a prescription or refill authorization for a drug
35 of a practitioner using computer systems. The term does not include a
36 prescription or refill authorization verbally transmitted by
37 telephone nor a facsimile manually signed by the practitioner.

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

1 (28) "Immediate precursor" means a substance:
2 (a) that the commission has found to be and by rule designates as
3 being the principal compound commonly used, or produced primarily for
4 use, in the manufacture of a controlled substance;
5 (b) that is an immediate chemical intermediary used or likely to
6 be used in the manufacture of a controlled substance; and
7 (c) the control of which is necessary to prevent, curtail, or
8 limit the manufacture of the controlled substance.

9 (29) "Isomer" means an optical isomer, but in subsection (33)(e)
10 of this section, RCW 69.50.204(1) (l) and (hh), and 69.50.206(2)(d),
11 the term includes any geometrical isomer; in RCW 69.50.204(1) (h) and
12 (pp) (~~r~~) and 69.50.210(3) (~~tr~~), the term includes any positional
13 isomer; and in RCW 69.50.204(1)(ii), 69.50.204(3), and 69.50.208(1)
14 (~~tr~~), the term includes any positional or geometric isomer.

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

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

24 (32) "Manufacture" means the production, preparation,
25 propagation, compounding, conversion, or processing of a controlled
26 substance, either directly or indirectly or by extraction from
27 substances of natural origin, or independently by means of chemical
28 synthesis, or by a combination of extraction and chemical synthesis,
29 and includes any packaging or repackaging of the substance or
30 labeling or relabeling of its container. The term does not include
31 the preparation, compounding, packaging, repackaging, labeling, or
32 relabeling of a controlled substance:

33 (a) by a practitioner as an incident to the practitioner's
34 administering or dispensing of a controlled substance in the course
35 of the practitioner's professional practice; or
36 (b) by a practitioner, or by the practitioner's authorized agent
37 under the practitioner's supervision, for the purpose of, or as an
38 incident to, research, teaching, or chemical analysis and not for
39 sale.

1 (33) "Narcotic drug" means any of the following, whether produced
2 directly or indirectly by extraction from substances of vegetable
3 origin, or independently by means of chemical synthesis, or by a
4 combination of extraction and chemical synthesis:

5 (a) Opium, opium derivative, and any derivative of opium or opium
6 derivative, including their salts, isomers, and salts of isomers,
7 whenever the existence of the salts, isomers, and salts of isomers is
8 possible within the specific chemical designation. The term does not
9 include the isoquinoline alkaloids of opium.

10 (b) Synthetic opiate and any derivative of synthetic opiate,
11 including their isomers, esters, ethers, salts, and salts of isomers,
12 esters, and ethers, whenever the existence of the isomers, esters,
13 ethers, and salts is possible within the specific chemical
14 designation.

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

16 (d) Coca leaves, except coca leaves and extracts of coca leaves
17 from which cocaine, ecgonine, and derivatives or ecgonine or their
18 salts have been removed.

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

20 (f) Cocaine base.

21 (g) Ecgonine, or any derivative, salt, isomer, or salt of isomer
22 thereof.

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

25 (34) "Opiate" means any substance having an addiction-forming or
26 addiction-sustaining liability similar to morphine or being capable
27 of conversion into a drug having addiction-forming or addiction-
28 sustaining liability. The term includes opium, substances derived
29 from opium (opium derivatives), and synthetic opiates. The term does
30 not include, unless specifically designated as controlled under RCW
31 69.50.201, the dextrorotatory isomer of 3-methoxy-n-methylmorphinan
32 and its salts (dextromethorphan). The term includes the racemic and
33 levorotatory forms of dextromethorphan.

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

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

38 (37) "Person" means individual, corporation, business trust,
39 estate, trust, partnership, association, joint venture, government,

1 governmental subdivision or agency, or any other legal or commercial
2 entity.

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

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

6 (40) "Practitioner" means:

7 (a) A physician under chapter 18.71 RCW; a physician assistant
8 under chapter 18.71A RCW; an osteopathic physician and surgeon under
9 chapter 18.57 RCW; an optometrist licensed under chapter 18.53 RCW
10 who is certified by the optometry board under RCW 18.53.010 subject
11 to any limitations in RCW 18.53.010; a dentist under chapter 18.32
12 RCW; a podiatric physician and surgeon under chapter 18.22 RCW; a
13 veterinarian under chapter 18.92 RCW; a registered nurse, advanced
14 practice registered nurse (~~(practitioner)~~), or licensed practical
15 nurse under chapter 18.79 RCW; a naturopathic physician under chapter
16 18.36A RCW who is licensed under RCW 18.36A.030 subject to any
17 limitations in RCW 18.36A.040; a pharmacist under chapter 18.64 RCW
18 or a scientific investigator under this chapter, licensed, registered
19 or otherwise permitted insofar as is consistent with those licensing
20 laws to distribute, dispense, conduct research with respect to or
21 administer a controlled substance in the course of their professional
22 practice or research in this state.

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

27 (c) A physician licensed to practice medicine and surgery, a
28 physician licensed to practice osteopathic medicine and surgery, a
29 dentist licensed to practice dentistry, a podiatric physician and
30 surgeon licensed to practice podiatric medicine and surgery, a
31 licensed physician assistant or a licensed osteopathic physician
32 assistant specifically approved to prescribe controlled substances by
33 his or her state's medical commission or equivalent and his or her
34 participating physician as defined in RCW 18.71A.010, an advanced
35 practice registered nurse (~~(practitioner)~~) licensed to prescribe
36 controlled substances, or a veterinarian licensed to practice
37 veterinary medicine in any state of the United States.

38 (41) "Prescription" means an order for controlled substances
39 issued by a practitioner duly authorized by law or rule in the state

1 of Washington to prescribe controlled substances within the scope of
2 his or her professional practice for a legitimate medical purpose.

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

5 (43) "Qualifying patient" has the meaning provided in RCW
6 69.51A.010.

7 (44) "Recognition card" has the meaning provided in RCW
8 69.51A.010.

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

12 (46) "Secretary" means the secretary of health or the secretary's
13 designee.

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

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

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

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

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

28 (48) "State," unless the context otherwise requires, means a
29 state of the United States, the District of Columbia, the
30 Commonwealth of Puerto Rico, or a territory or insular possession
31 subject to the jurisdiction of the United States.

32 (49) "THC concentration" means percent of tetrahydrocannabinol
33 content of any part of the plant *Cannabis*, or per volume or weight of
34 cannabis product, or the combined percent of tetrahydrocannabinol and
35 tetrahydrocannabinolic acid in any part of the plant *Cannabis*
36 regardless of moisture content.

37 (50) "Ultimate user" means an individual who lawfully possesses a
38 controlled substance for the individual's own use or for the use of a
39 member of the individual's household or for administering to an

1 animal owned by the individual or by a member of the individual's
2 household.

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

6 (52) "Useable cannabis" means dried cannabis flowers. The term
7 "useable cannabis" does not include either cannabis-infused products
8 or cannabis concentrates.

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

14 **Sec. 102.** RCW 49.60.180 and 2020 c 52 s 10 are each amended to
15 read as follows:

16 It is an unfair practice for any employer:

17 (1) To refuse to hire any person because of age, sex, marital
18 status, sexual orientation, race, creed, color, national origin,
19 citizenship or immigration status, honorably discharged veteran or
20 military status, or the presence of any sensory, mental, or physical
21 disability or the use of a trained dog guide or service animal by a
22 person with a disability, unless based upon a bona fide occupational
23 qualification: PROVIDED, That the prohibition against discrimination
24 because of such disability shall not apply if the particular
25 disability prevents the proper performance of the particular worker
26 involved: PROVIDED, That this section shall not be construed to
27 require an employer to establish employment goals or quotas based on
28 sexual orientation.

29 (2) To discharge or bar any person from employment because of
30 age, sex, marital status, sexual orientation, race, creed, color,
31 national origin, citizenship or immigration status, honorably
32 discharged veteran or military status, use of psychedelic substances
33 as sanctioned under chapter 18.--- RCW (the new chapter created in
34 section 110(1) of this act) in the absence of visible impairment at
35 work, or the presence of any sensory, mental, or physical disability
36 or the use of a trained dog guide or service animal by a person with
37 a disability.

38 (3) To discriminate against any person in compensation or in
39 other terms or conditions of employment because of age, sex, marital

1 status, sexual orientation, race, creed, color, national origin,
2 citizenship or immigration status, honorably discharged veteran or
3 military status, or the presence of any sensory, mental, or physical
4 disability or the use of a trained dog guide or service animal by a
5 person with a disability: PROVIDED, That it shall not be an unfair
6 practice for an employer to segregate washrooms or locker facilities
7 on the basis of sex, or to base other terms and conditions of
8 employment on the sex of employees where the commission by regulation
9 or ruling in a particular instance has found the employment practice
10 to be appropriate for the practical realization of equality of
11 opportunity between the sexes.

12 (4) To print, or circulate, or cause to be printed or circulated
13 any statement, advertisement, or publication, or to use any form of
14 application for employment, or to make any inquiry in connection with
15 prospective employment, which expresses any limitation,
16 specification, or discrimination as to age, sex, marital status,
17 sexual orientation, race, creed, color, national origin, citizenship
18 or immigration status, honorably discharged veteran or military
19 status, or the presence of any sensory, mental, or physical
20 disability or the use of a trained dog guide or service animal by a
21 person with a disability, or any intent to make any such limitation,
22 specification, or discrimination, unless based upon a bona fide
23 occupational qualification: PROVIDED, Nothing contained herein shall
24 prohibit advertising in a foreign language.

25 **Sec. 103.** RCW 43.79A.040 and 2024 c 327 s 16 and 2024 c 168 s 10
26 are each reenacted and amended to read as follows:

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

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

35 (3) The investment income account may be utilized for the payment
36 of purchased banking services on behalf of treasurer's trust funds
37 including, but not limited to, depository, safekeeping, and
38 disbursement functions for the state treasurer or affected state
39 agencies. The investment income account is subject in all respects to

1 chapter 43.88 RCW, but no appropriation is required for payments to
2 financial institutions. Payments must occur prior to distribution of
3 earnings set forth in subsection (4) of this section.

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

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

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

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

1 (d) Any state agency that has independent authority over accounts
2 or funds not statutorily required to be held in the custody of the
3 state treasurer that deposits funds into a fund or account in the
4 custody of the state treasurer pursuant to an agreement with the
5 office of the state treasurer shall receive its proportionate share
6 of earnings based upon each account's or fund's average daily balance
7 for the period.

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

11 **Sec. 104.** RCW 43.79A.040 and 2024 c 327 s 17 and 2024 c 168 s 11
12 are each reenacted and amended to read as follows:

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

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

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

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

32 (b) The following accounts and funds must receive their
33 proportionate share of earnings based upon each account's or fund's
34 average daily balance for the period: The 24/7 sobriety account, the
35 Washington promise scholarship account, the Gina Grant Bull memorial
36 legislative page scholarship account, the Rosa Franklin legislative
37 internship program scholarship account, the Washington advanced
38 college tuition payment program account, the Washington college
39 savings program account, the accessible communities account, the

1 Washington achieving a better life experience program account, the
2 Washington career and college pathways innovation challenge program
3 account, the community and technical college innovation account, the
4 agricultural local fund, the American Indian scholarship endowment
5 fund, the behavioral health loan repayment and scholarship program
6 account, the Billy Frank Jr. national statuary hall collection fund,
7 the foster care scholarship endowment fund, the foster care endowed
8 scholarship trust fund, the contract harvesting revolving account,
9 the Washington state combined fund drive account, the commemorative
10 works account, the county 911 excise tax account, the county road
11 administration board emergency loan account, the toll collection
12 account, the developmental disabilities endowment trust fund, the
13 energy account, the energy facility site evaluation council account,
14 the fair fund, the family and medical leave insurance account, the
15 Fern Lodge maintenance account, the fish and wildlife federal lands
16 revolving account, the natural resources federal lands revolving
17 account, the food animal veterinarian conditional scholarship
18 account, the forest health revolving account, the fruit and vegetable
19 inspection account, the educator conditional scholarship account, the
20 game farm alternative account, the GET ready for math and science
21 scholarship account, the Washington global health technologies and
22 product development account, the grain inspection revolving fund, the
23 Washington history day account, the industrial insurance rainy day
24 fund, the juvenile accountability incentive account, the law
25 enforcement officers' and firefighters' plan 2 expense fund, the
26 local tourism promotion account, the low-income home rehabilitation
27 account, the medication for people living with HIV rebate revenue
28 account, the homeowner recovery account, the multiagency permitting
29 team account, the northeast Washington wolf-livestock management
30 account, the produce railcar pool account, the public use general
31 aviation airport loan revolving account, the regional transportation
32 investment district account, the rural rehabilitation account, the
33 Washington sexual assault kit account, the stadium and exhibition
34 center account, the youth athletic facility account, the self-
35 insurance revolving fund, the children's trust fund, the Washington
36 horse racing commission Washington bred owners' bonus fund and
37 breeder awards account, the Washington horse racing commission class
38 C purse fund account, the individual development account program
39 account, the Washington horse racing commission operating account,
40 the life sciences discovery fund, the Washington state library-

1 archives building account, the reduced cigarette ignition propensity
2 account, the center for deaf and hard of hearing youth account, the
3 school for the blind account, the Millersylvania park trust fund, the
4 public employees' and retirees' insurance reserve fund, the school
5 employees' benefits board insurance reserve fund, the public
6 employees' and retirees' insurance account, the school employees'
7 insurance account, the long-term services and supports trust account,
8 the radiation perpetual maintenance fund, the Indian health
9 improvement reinvestment account, the department of licensing tuition
10 recovery trust fund, the student achievement council tuition recovery
11 trust fund, the tuition recovery trust fund, the industrial insurance
12 premium refund account, the mobile home park relocation fund, the
13 natural resources deposit fund, the Washington state health insurance
14 pool account, the federal forest revolving account, the Washington
15 saves administrative treasury trust account, the psychedelic
16 substance facilitation control and regulation account, the
17 psychedelic substance manufacture and testing control and regulation
18 account, and the library operations account.

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

26 (d) Any state agency that has independent authority over accounts
27 or funds not statutorily required to be held in the custody of the
28 state treasurer that deposits funds into a fund or account in the
29 custody of the state treasurer pursuant to an agreement with the
30 office of the state treasurer shall receive its proportionate share
31 of earnings based upon each account's or fund's average daily balance
32 for the period.

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

36 **Sec. 105.** RCW 18.130.010 and 1994 sp.s. c 9 s 601 are each
37 amended to read as follows:

38 It is the intent of the legislature to strengthen and consolidate
39 disciplinary and licensure procedures for the licensed health and

1 health-related professions and businesses by providing a uniform
2 disciplinary act with standardized procedures for the licensure of
3 health care professionals and facilitators and clinical facilitators
4 under chapter 18.--- RCW (the new chapter created in section 110(1)
5 of this act) and the enforcement of laws the purpose of which is to
6 assure the public of the adequacy of professional competence and
7 conduct in the healing arts.

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

11 Further, the legislature declares that the addition of public
12 members on all health care commissions and boards can give both the
13 state and the public, which it has a statutory responsibility to
14 protect, assurances of accountability and confidence in the various
15 practices of health care.

16 **Sec. 106.** RCW 18.130.040 and 2024 c 362 s 8, 2024 c 217 s 7, and
17 2024 c 50 s 5 are each reenacted and amended to read as follows:

18 (1) This chapter applies only to the secretary and the boards and
19 commissions having jurisdiction in relation to the professions
20 licensed under the chapters specified in this section. This chapter
21 does not apply to any business or profession not licensed under the
22 chapters specified in this section.

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

25 (i) Dispensing opticians licensed and designated apprentices
26 under chapter 18.34 RCW;

27 (ii) Midwives licensed under chapter 18.50 RCW;

28 (iii) Ocularists licensed under chapter 18.55 RCW;

29 (iv) Massage therapists and businesses licensed under chapter
30 18.108 RCW;

31 (v) Dental hygienists licensed under chapter 18.29 RCW;

32 (vi) Acupuncturists or acupuncture and Eastern medicine
33 practitioners licensed under chapter 18.06 RCW;

34 (vii) Radiologic technologists certified and X-ray technicians
35 registered under chapter 18.84 RCW;

36 (viii) Respiratory care practitioners licensed under chapter
37 18.89 RCW;

1 (ix) Hypnotherapists registered, agency affiliated counselors
2 registered, certified, or licensed, and advisors and counselors
3 certified under chapter 18.19 RCW;

4 (x) Persons licensed as mental health counselors, mental health
5 counselor associates, marriage and family therapists, marriage and
6 family therapist associates, social workers, social work associates—
7 advanced, and social work associates—independent clinical under
8 chapter 18.225 RCW;

9 (xi) Persons registered as nursing pool operators under chapter
10 18.52C RCW;

11 (xii) Nursing assistants registered or certified or medication
12 assistants endorsed under chapter 18.88A RCW;

13 (xiii) Dietitians and nutritionists certified under chapter
14 18.138 RCW;

15 (xiv) Substance use disorder professionals, substance use
16 disorder professional trainees, or co-occurring disorder specialists
17 certified under chapter 18.205 RCW;

18 (xv) Sex offender treatment providers and certified affiliate sex
19 offender treatment providers certified under chapter 18.155 RCW;

20 (xvi) Persons licensed and certified under chapter 18.73 RCW or
21 RCW 18.71.205;

22 (xvii) Orthotists and prosthetists licensed under chapter 18.200
23 RCW;

24 (xviii) Surgical technologists registered under chapter 18.215
25 RCW;

26 (xix) Recreational therapists under chapter 18.230 RCW;

27 (xx) Animal massage therapists certified under chapter 18.240
28 RCW;

29 (xxi) Athletic trainers licensed under chapter 18.250 RCW;

30 (xxii) Home care aides certified under chapter 18.88B RCW;

31 (xxiii) Genetic counselors licensed under chapter 18.290 RCW;

32 (xxiv) Reflexologists certified under chapter 18.108 RCW;

33 (xxv) Medical assistants-certified, medical assistants-
34 hemodialysis technician, medical assistants-phlebotomist, forensic
35 phlebotomist, medical assistant-EMT, and medical assistants-
36 registered certified and registered under chapter 18.360 RCW;

37 (xxvi) Behavior analysts, assistant behavior analysts, and
38 behavior technicians under chapter 18.380 RCW;

39 (xxvii) Birth douglas certified under chapter 18.47 RCW;

40 (xxviii) Music therapists licensed under chapter 18.233 RCW;

1 (xxix) Behavioral health support specialists certified under
2 chapter 18.227 RCW; (~~and~~)

3 (xxx) Certified peer specialists and certified peer specialist
4 trainees under chapter 18.420 RCW; and

5 (xxxi) Facilitators and clinical facilitators under chapter
6 18.--- RCW (the new chapter created in section 110(1) of this act).

7 (b) The boards and commissions having authority under this
8 chapter are as follows:

9 (i) The podiatric medical board as established in chapter 18.22
10 RCW;

11 (ii) The chiropractic quality assurance commission as established
12 in chapter 18.25 RCW;

13 (iii) The dental quality assurance commission as established in
14 chapter 18.32 RCW governing licenses issued under chapter 18.32 RCW,
15 licenses and registrations issued under chapter 18.260 RCW, licenses
16 issued under chapter 18.265 RCW, and certifications issued under
17 chapter 18.350 RCW;

18 (iv) The board of hearing and speech as established in chapter
19 18.35 RCW;

20 (v) The board of examiners for nursing home administrators as
21 established in chapter 18.52 RCW;

22 (vi) The optometry board as established in chapter 18.54 RCW
23 governing licenses issued under chapter 18.53 RCW;

24 (vii) The board of osteopathic medicine and surgery as
25 established in chapter 18.57 RCW governing licenses issued under
26 chapter 18.57 RCW;

27 (viii) The pharmacy quality assurance commission as established
28 in chapter 18.64 RCW governing licenses issued under chapters 18.64
29 and 18.64A RCW;

30 (ix) The Washington medical commission as established in chapter
31 18.71 RCW governing licenses and registrations issued under chapters
32 18.71, 18.71A, and 18.71D RCW;

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

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

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

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

3 (xiv) The veterinary board of governors as established in chapter
4 18.92 RCW;

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

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

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

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

16 **Sec. 107.** RCW 18.130.180 and 2024 c 220 s 2 are each amended to
17 read as follows:

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

21 (1) The commission of any act involving moral turpitude,
22 dishonesty, or corruption relating to the practice of the person's
23 profession, whether the act constitutes a crime or not. If the act
24 constitutes a crime, conviction in a criminal proceeding is not a
25 condition precedent to disciplinary action. Upon such a conviction,
26 however, the judgment and sentence is conclusive evidence at the
27 ensuing disciplinary hearing of the guilt of the license holder of
28 the crime described in the indictment or information, and of the
29 person's violation of the statute on which it is based. For the
30 purposes of this section, conviction includes all instances in which
31 a plea of guilty or nolo contendere is the basis for the conviction
32 and all proceedings in which the sentence has been deferred or
33 suspended. Nothing in this section abrogates rights guaranteed under
34 chapter 9.96A RCW. This subsection does not apply to federal laws,
35 regulations, and policies prohibiting actions relating to psychedelic
36 substances that are permitted under chapter 18.--- or 66.--- RCW (the
37 new chapters created in section 110 of this act);

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

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

2 (4) Incompetence, negligence, or malpractice which results in
3 injury to a patient or which creates an unreasonable risk that a
4 patient may be harmed. The use of a nontraditional treatment by
5 itself shall not constitute unprofessional conduct, provided that it
6 does not result in injury to a patient or create an unreasonable risk
7 that a patient may be harmed;

8 (5) Suspension, revocation, or restriction of the individual's
9 license to practice any health care profession by competent authority
10 in any state, federal, or foreign jurisdiction, a certified copy of
11 the order, stipulation, or agreement being conclusive evidence of the
12 revocation, suspension, or restriction;

13 (6) ~~((The))~~ Except when authorized by RCW 69.41.095 or concerning
14 activities related to psychedelic substances permitted under chapter
15 18.--- or 66.--- RCW (the new chapters created in section 110 of this
16 act), the possession, use, prescription for use, or distribution of
17 controlled substances or legend drugs in any way other than for
18 legitimate or therapeutic purposes, diversion of controlled
19 substances or legend drugs, the violation of any drug law, or
20 prescribing controlled substances for oneself;

21 (7) Violation of any state or federal statute or administrative
22 rule regulating the profession in question, including any statute or
23 rule defining or establishing standards of patient care or
24 professional conduct or practice, except for federal laws,
25 regulations, and policies prohibiting actions relating to psychedelic
26 substances that are permitted under chapter 18.--- or 66.--- RCW (the
27 new chapters created in section 110 of this act);

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

29 (a) Not furnishing any papers, documents, records, or other
30 items;

31 (b) Not furnishing in writing a full and complete explanation
32 covering the matter contained in the complaint filed with the
33 disciplining authority;

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

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

- 1 (9) Failure to comply with an order issued by the disciplining
2 authority or a stipulation for informal disposition entered into with
3 the disciplining authority;
- 4 (10) Aiding or abetting an unlicensed person to practice when a
5 license is required;
- 6 (11) Violations of rules established by any health agency;
- 7 (12) Practice beyond the scope of practice as defined by law or
8 rule;
- 9 (13) Misrepresentation or fraud in any aspect of the conduct of
10 the business or profession;
- 11 (14) Failure to adequately supervise auxiliary staff to the
12 extent that the consumer's health or safety is at risk;
- 13 (15) Engaging in a profession involving contact with the public
14 while suffering from a contagious or infectious disease involving
15 serious risk to public health;
- 16 (16) Promotion for personal gain of any unnecessary or
17 inefficacious drug, device, treatment, procedure, or service;
- 18 (17) Conviction of any gross misdemeanor or felony relating to
19 the practice of the person's profession. For the purposes of this
20 subsection, conviction includes all instances in which a plea of
21 guilty or nolo contendere is the basis for conviction and all
22 proceedings in which the sentence has been deferred or suspended.
23 Nothing in this section abrogates rights guaranteed under chapter
24 9.96A RCW;
- 25 (18) The offering, undertaking, or agreeing to cure or treat
26 disease by a secret method, procedure, treatment, or medicine, or the
27 treating, operating, or prescribing for any health condition by a
28 method, means, or procedure which the licensee refuses to divulge
29 upon demand of the disciplining authority;
- 30 (19) The willful betrayal of a practitioner-patient privilege as
31 recognized by law;
- 32 (20) Violation of chapter 19.68 RCW or a pattern of violations of
33 RCW 41.05.700(8), 48.43.735(8), 48.49.020, 48.49.030, 71.24.335(8),
34 or 74.09.325(8);
- 35 (21) Interference with an investigation or disciplinary
36 proceeding by willful misrepresentation of facts before the
37 disciplining authority or its authorized representative, or by the
38 use of threats or harassment against any patient or witness to
39 prevent them from providing evidence in a disciplinary proceeding or
40 any other legal action, or by the use of financial inducements to any

1 patient or witness to prevent or attempt to prevent him or her from
2 providing evidence in a disciplinary proceeding;

3 (22) Current misuse of:

4 (a) Alcohol;

5 (b) Controlled substances, excluding actions permitted under
6 chapter 18.--- or 66.--- RCW (the new chapters created in section 110
7 of this act); or

8 (c) Legend drugs;

9 (23) Abuse of a client or patient or sexual contact with a client
10 or patient;

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

18 (25) Violation of RCW 18.130.420;

19 (26) Performing conversion therapy on a patient under age
20 eighteen;

21 (27) Violation of RCW 18.130.430;

22 (28) Violation of RCW 18.130.460; or

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

25 **Sec. 108.** RCW 19.410.020 and 2023 c 364 s 9 are each amended to
26 read as follows:

27 Medical professionals licensed by the state of Washington shall
28 not be subject to adverse licensing action for recommending
29 psilocybin therapy services or psychedelic substance services as
30 defined under section 6 of this act.

31 NEW SECTION. **Sec. 109.** If any provision of this act or its
32 application to any person or circumstance is held invalid, the
33 remainder of the act or the application of the provision to other
34 persons or circumstances is not affected.

35 NEW SECTION. **Sec. 110.** (1) Sections 5 through 57 of this act
36 constitute a new chapter in Title 18 RCW.

1 (2) Sections 58 through 97 of this act constitute a new chapter
2 in Title 66 RCW.

3 NEW SECTION. **Sec. 111.** Section 7 of this act is necessary for
4 the immediate preservation of the public peace, health, or safety, or
5 support of the state government and its existing public institutions,
6 and takes effect immediately.

7 NEW SECTION. **Sec. 112.** Section 103 of this act expires July 1,
8 2030.

9 NEW SECTION. **Sec. 113.** Section 104 of this act takes effect
10 July 1, 2030.

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