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**SENATE BILL 5201**

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**State of Washington 69th Legislature 2025 Regular Session**

**By** Senators Salomon, Nobles, Bateman, Trudeau, Lovelett, Frame, Chapman, Hasegawa, Wellman, Holy, King, Saldaña, Schoesler, and J. Wilson

AN ACT Relating to access to psychedelic substances by individuals 21 years of age or older; amending RCW 7.48.310, 69.50.101, 49.60.180, 18.130.010, 18.130.180, and 19.410.020; reenacting and amending RCW 43.79A.040, 43.79A.040, and 18.130.040; adding a new section to chapter 42.56 RCW; adding a new section to chapter 15.130 RCW; adding a new chapter to Title 18 RCW; adding a new chapter to Title 66 RCW; creating new sections; prescribing penalties; providing an effective date; providing expiration dates; and declaring an emergency.

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

**INTRODUCTORY SECTION**

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

(a) Psychedelic substances have a low-risk profile when administered in a context of supported adult use, in a controlled environment, and under the supervision of a trained facilitator;

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

(c) Results from clinical trials reveal therapeutic administration of psychedelic substances to be a promising practice for the treatment of conditions such as substance use disorders, posttraumatic stress disorder, treatment-resistant depression, obsessive-compulsive disorders, and other serious maladies, with a potential effect size many times larger than mainstream pharmaceutical and clinical interventions, obtained with fewer side effects, and much smaller long-term costs. These promising results combined with the risk profile have led both Oregon and Colorado to legalize regulated psychedelic substance services for adults 21 years and older by ballot initiative;

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

(e) Despite a recent proliferation of studies, the federal government's classification of psychedelic substances as Schedule I controlled substances has stymied the creation of high quality large-scale research studies into their risks and benefits of psychedelic substances, to everyone's detriment.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) The department of health and the liquor and cannabis board must collaborate closely in order to execute their duties under this act in a consistent and cost-effective manner, and may enter memoranda of understanding or joint operating or enforcement agreements when doing so would decrease the cost of regulation and lessen the burden of regulatory compliance for licensees.

**DEPARTMENT OF HEALTH PROVISIONS**

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

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

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

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

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

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

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

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

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

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

(4) "Associate facilitator" means a person licensed by the department as an associate facilitator who is authorized to perform all the services of a facilitator under the supervision of an approved supervisor while accumulating the necessary experience hours for licensure as a facilitator.

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

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

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

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

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

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

(11) "Health professional" means a person licensed or certified in the state of Washington as a: Physician; physician assistant; osteopathic physician; naturopathic physician; registered nurse; licensed practical nurse; advanced practice registered nurse; emergency medical services provider; psychologist; social worker; mental health counselor; marriage and family therapist; substance use disorder professional; behavioral health support specialist; pharmacist; certified counselor; certified advisor; certified behavior technician; occupational therapist; licensed behavior analyst; any person licensed or certified within any of the preceding disciplines as an associate, assistant, or trainee; or any person with a master's degree or further advanced degree in counseling or one of the social sciences from an accredited college or university who has at least two years of experience in direct treatment of persons with mental illness, substance use disorder, or emotional disturbance gained under the supervision of a mental health professional recognized by the department of social and health services or attested to by a licensed behavioral health agency.

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

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

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

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

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

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

(18) "Service center" means a location licensed by the department where facilitators and clinical facilitators may hold administration sessions with clients, and which can acquire, possess, transfer, transport, deliver, supply, sell, or dispense psychedelic substances to authorized entities or individuals.

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

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

**WASHINGTON PSYCHEDELIC SUBSTANCES BOARD**

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

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

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

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

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

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

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

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

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

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

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

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

**PROTECTION OF CLIENT INFORMATION**

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

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

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

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

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

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

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

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

**FACILITATORS, CLINICAL FACILITATORS, AND ASSOCIATES**

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

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

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

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

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

(3) Successful completion of an approved examination;

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

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

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

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

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

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

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

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

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

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

(3) This section expires June 30, 2030.

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

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

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

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

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

(4) An associate license may be renewed.

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

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

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

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

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

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

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

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

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

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

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

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

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

**AUTHORIZED LOCATIONS FOR PSYCHEDELIC SUBSTANCE ADMINISTRATION**

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

(a) A service center licensed under this chapter;

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

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

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

(e) A temporary location permitted by the department.

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

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

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

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

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

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

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

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

(e) Allowing outdoor administration sessions; and

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

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

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

**TRANSPORTATION OF PSYCHEDELIC SUBSTANCES**

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

(a) A service center;

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

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

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

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

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

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

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

**STORAGE OF PSYCHEDELIC SUBSTANCES**

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

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

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

**PREREQUISITES FOR AN ADMINISTRATION SESSION**

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

(a) Collect client information;

(b) Make any disclosures and warnings required by rule;

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

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

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

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

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

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

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

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

**POWERS OF THE DEPARTMENT OF HEALTH**

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

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

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

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

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

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

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

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

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

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

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

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

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

(b) Establishing facilitator guidelines that include and promote:

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

(ii) The importance of client safety;

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

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

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

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

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

(f) Establishing requirements for integration sessions; and

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

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

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

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

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

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

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

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

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

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

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

**TWO-YEAR PROGRAM DEVELOPMENT PERIOD**

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

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

**APPLICATION PROCESS AND LICENSES**

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

(1) Operate a service center; and

(2) Facilitate psychedelic substance services.

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

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

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

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

(a) Has not completed required education or training;

(b) Has not passed an examination required by the department;

(c) Has made false statements to the department;

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

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

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

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

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

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

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

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

(b) The possession of a controlled substance.

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

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

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

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

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

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

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

(1) Is a personal privilege;

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

(3) Is revocable or suspendable;

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

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

(6) Does not constitute property;

(7) Is not alienable;

(8) Is not subject to attachment or execution;

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

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

**LICENSEES IN GENERAL**

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

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

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

**PSYCHEDELIC SUBSTANCE SERVICES**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**EMPLOYEES AND OTHER WORKERS**

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

(a) The provision of psychedelic substance services;

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

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

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

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

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

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

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

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

(i) Checking identification;

(ii) Handling psychedelic substances;

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

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

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

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

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

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

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

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

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

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

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

(c) Makes a false statement to the department.

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

**PSYCHEDELIC SUBSTANCE FACILITATION CONTROL AND REGULATION ACCOUNT**

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

**PROHIBITED CONDUCT**

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

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

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

**CIVIL ENFORCEMENT**

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

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

**CRIMINAL ENFORCEMENT**

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

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

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

**REGULATION BY CITIES AND COUNTIES OF PSYCHEDELIC SUBSTANCE PRODUCTS**

NEW SECTION. **Sec.**  This chapter is designed to operate uniformly throughout the state and is paramount and superior to and fully replaces and supersedes any municipal charter or local ordinance inconsistent with this chapter.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**CLIENT BILL OF RIGHTS**

NEW SECTION. **Sec.**  Clients receiving psychedelic substance services in Washington must:

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

(2) Receive culturally competent care;

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

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

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

(6) Be provided privacy and confidentiality;

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

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

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

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

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

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

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

**OTHER PROVISIONS**

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

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

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

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

**LIQUOR AND CANNABIS BOARD PROVISIONS**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**TRANSPORTATION OF PSYCHEDELIC SUBSTANCES**

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

(a) A service center;

(b) A laboratory or manufacturer;

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

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

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

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

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

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

**STORAGE OF PSYCHEDELIC SUBSTANCES**

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

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

(2) As permitted in chapter 18.--- RCW (the new chapter created under section 110(1) of this act), in a limited access location at a health care facility licensed by the department and registered with the department as a location where an administration session may be held; or

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

**POWERS OF THE LIQUOR AND CANNABIS BOARD**

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

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

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

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

(3) The rules may not:

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

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

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

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

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

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

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

**TWO-YEAR PROGRAM DEVELOPMENT PERIOD**

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

**APPLICATION PROCESS AND LICENSES**

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

(1) Manufacture psychedelic substances; and

(2) Test psychedelic substances.

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

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

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

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

(a) Has made false statements to the board;

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

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

(d) Is not of good repute and moral character;

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

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

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

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

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

(b) The possession of a controlled substance.

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

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

(2) Is revocable or suspendable;

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

(4) Does not constitute property;

(5) Is not alienable;

(6) Is not subject to attachment or execution;

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

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

**LICENSEES IN GENERAL**

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

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

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

**LICENSE TO MANUFACTURE PSYCHEDELIC SUBSTANCES**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**EMPLOYEES AND OTHER WORKERS**

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

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

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

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

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

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

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

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

**CIVIL ENFORCEMENT**

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

NEW SECTION. **Sec.**  In addition to any other liability or penalty provided by law, the board may impose for each violation of a provision of this chapter or a rule adopted under this chapter a civil penalty up to $5,000 for each violation. The board must impose civil penalties under this section in the manner provided by RCW 43.70.095. Money collected under this section must be deposited in the psychedelic substance manufacture and testing control and regulation account.

**CRIMINAL ENFORCEMENT**

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

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

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

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

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

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

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

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

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

**OTHER PROVISIONS**

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

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

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

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

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

**TESTING OF PSYCHEDELIC SUBSTANCES**

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

(a) Establishing standards for testing psychedelic substances;

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

(i) Microbiological contaminants;

(ii) Pesticides;

(iii) Other contaminants;

(iv) Solvents or residual solvents; and

(v) Psychedelic substance concentration;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(d) Procedures for:

(i) Tracking psychedelic substances to be tested;

(ii) Documenting and reporting test results; and

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

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

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

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

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

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

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

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

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

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

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

(i) Health and safety warnings;

(ii) If applicable, activation time;

(iii) Potency;

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

(v) Content of the psychedelic substance product; and

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

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

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

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

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

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

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

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

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

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

(a) Is untruthful or misleading; or

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

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

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

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

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

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

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

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

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

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

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

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

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

(a) Personally identifiable information;

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

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

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

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

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

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

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

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

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

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

For the purposes of RCW 7.48.305 only:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(b) The term does not include:

(i) a controlled substance;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(28) "Immediate precursor" means a substance:

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

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

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

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

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

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

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

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

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

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

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

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

(c) Poppy straw and concentrate of poppy straw.

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

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

(f) Cocaine base.

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

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

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

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

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

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

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

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

(40) "Practitioner" means:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

It is an unfair practice for any employer:

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

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

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

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

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

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

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

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

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

(b) The following accounts and funds must receive their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The 24/7 sobriety account, the Washington promise scholarship account, the Gina Grant Bull memorial legislative page scholarship account, the Rosa Franklin legislative internship program scholarship account, the Washington advanced college tuition payment program account, the Washington college savings program account, the accessible communities account, the Washington achieving a better life experience program account, the Washington career and college pathways innovation challenge program account, the community and technical college innovation account, the agricultural local fund, the American Indian scholarship endowment fund, the behavioral health loan repayment and scholarship program account, the Billy Frank Jr. national statuary hall collection fund, the foster care scholarship endowment fund, the foster care endowed scholarship trust fund, the contract harvesting revolving account, the Washington state combined fund drive account, the commemorative works account, the county 911 excise tax account, the county road administration board emergency loan account, the toll collection account, the developmental disabilities endowment trust fund, the energy account, the energy facility site evaluation council account, the fair fund, the family and medical leave insurance account, the Fern Lodge maintenance account, the fish and wildlife federal lands revolving account, the natural resources federal lands revolving account, the food animal veterinarian conditional scholarship account, the forest health revolving account, the fruit and vegetable inspection account, the educator conditional scholarship account, the game farm alternative account, the GET ready for math and science scholarship account, the Washington global health technologies and product development account, the grain inspection revolving fund, the Washington history day account, the industrial insurance rainy day fund, the juvenile accountability incentive account, the law enforcement officers' and firefighters' plan 2 expense fund, the local tourism promotion account, the low-income home rehabilitation account, the medication for people living with HIV rebate revenue account, the homeowner recovery account, the multiagency permitting team account, the northeast Washington wolf-livestock management account, the pollution liability insurance program trust account, the produce railcar pool account, the public use general aviation airport loan revolving account, the regional transportation investment district account, the rural rehabilitation account, the Washington sexual assault kit account, the stadium and exhibition center account, the youth athletic facility account, the self-insurance revolving fund, the children's trust fund, the Washington horse racing commission Washington bred owners' bonus fund and breeder awards account, the Washington horse racing commission class C purse fund account, the individual development account program account, the Washington horse racing commission operating account, the life sciences discovery fund, the Washington state library-archives building account, the reduced cigarette ignition propensity account, the center for deaf and hard of hearing youth account, the school for the blind account, the Millersylvania park trust fund, the public employees' and retirees' insurance reserve fund, the school employees' benefits board insurance reserve fund, the public employees' and retirees' insurance account, the school employees' insurance account, the long-term services and supports trust account, the radiation perpetual maintenance fund, the Indian health improvement reinvestment account, the department of licensing tuition recovery trust fund, the student achievement council tuition recovery trust fund, the tuition recovery trust fund, the industrial insurance premium refund account, the mobile home park relocation fund, the natural resources deposit fund, the Washington state health insurance pool account, the federal forest revolving account, the Washington saves administrative treasury trust account, the psychedelic substance facilitation control and regulation account, the psychedelic substance manufacture and testing control and regulation account, and the library operations account.

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

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

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

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

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

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

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

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

(b) The following accounts and funds must receive their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The 24/7 sobriety account, the Washington promise scholarship account, the Gina Grant Bull memorial legislative page scholarship account, the Rosa Franklin legislative internship program scholarship account, the Washington advanced college tuition payment program account, the Washington college savings program account, the accessible communities account, the Washington achieving a better life experience program account, the Washington career and college pathways innovation challenge program account, the community and technical college innovation account, the agricultural local fund, the American Indian scholarship endowment fund, the behavioral health loan repayment and scholarship program account, the Billy Frank Jr. national statuary hall collection fund, the foster care scholarship endowment fund, the foster care endowed scholarship trust fund, the contract harvesting revolving account, the Washington state combined fund drive account, the commemorative works account, the county 911 excise tax account, the county road administration board emergency loan account, the toll collection account, the developmental disabilities endowment trust fund, the energy account, the energy facility site evaluation council account, the fair fund, the family and medical leave insurance account, the Fern Lodge maintenance account, the fish and wildlife federal lands revolving account, the natural resources federal lands revolving account, the food animal veterinarian conditional scholarship account, the forest health revolving account, the fruit and vegetable inspection account, the educator conditional scholarship account, the game farm alternative account, the GET ready for math and science scholarship account, the Washington global health technologies and product development account, the grain inspection revolving fund, the Washington history day account, the industrial insurance rainy day fund, the juvenile accountability incentive account, the law enforcement officers' and firefighters' plan 2 expense fund, the local tourism promotion account, the low-income home rehabilitation account, the medication for people living with HIV rebate revenue account, the homeowner recovery account, the multiagency permitting team account, the northeast Washington wolf-livestock management account, the produce railcar pool account, the public use general aviation airport loan revolving account, the regional transportation investment district account, the rural rehabilitation account, the Washington sexual assault kit account, the stadium and exhibition center account, the youth athletic facility account, the self-insurance revolving fund, the children's trust fund, the Washington horse racing commission Washington bred owners' bonus fund and breeder awards account, the Washington horse racing commission class C purse fund account, the individual development account program account, the Washington horse racing commission operating account, the life sciences discovery fund, the Washington state library-archives building account, the reduced cigarette ignition propensity account, the center for deaf and hard of hearing youth account, the school for the blind account, the Millersylvania park trust fund, the public employees' and retirees' insurance reserve fund, the school employees' benefits board insurance reserve fund, the public employees' and retirees' insurance account, the school employees' insurance account, the long-term services and supports trust account, the radiation perpetual maintenance fund, the Indian health improvement reinvestment account, the department of licensing tuition recovery trust fund, the student achievement council tuition recovery trust fund, the tuition recovery trust fund, the industrial insurance premium refund account, the mobile home park relocation fund, the natural resources deposit fund, the Washington state health insurance pool account, the federal forest revolving account, the Washington saves administrative treasury trust account, the psychedelic substance facilitation control and regulation account, the psychedelic substance manufacture and testing control and regulation account, and the library operations account.

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

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

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

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

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

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

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

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

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

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

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

(ii) Midwives licensed under chapter 18.50 RCW;

(iii) Ocularists licensed under chapter 18.55 RCW;

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

(v) Dental hygienists licensed under chapter 18.29 RCW;

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

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

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

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

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

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

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

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

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

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

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

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

(xviii) Surgical technologists registered under chapter 18.215 RCW;

(xix) Recreational therapists under chapter 18.230 RCW;

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

(xxi) Athletic trainers licensed under chapter 18.250 RCW;

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

(xxiii) Genetic counselors licensed under chapter 18.290 RCW;

(xxiv) Reflexologists certified under chapter 18.108 RCW;

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

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

(xxvii) Birth doulas certified under chapter 18.47 RCW;

(xxviii) Music therapists licensed under chapter 18.233 RCW;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(22) Current misuse of:

(a) Alcohol;

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

(c) Legend drugs;

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

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

(25) Violation of RCW 18.130.420;

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

(27) Violation of RCW 18.130.430;

(28) Violation of RCW 18.130.460; or

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

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

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

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

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

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

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

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

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

**--- END ---**