
BILL REQUEST - CODE REVISER'S OFFICE

BILL REQ. #: S-1647.1/25

ATTY/TYPIST: KB:ajr

BRIEF DESCRIPTION: Establishing a pilot program allowing access to
psilocybin.

1 AN ACT Relating to establishing a pilot program to allow
2 clinically supervised access to psilocybin for individuals 21 years
3 of age or older; reenacting and amending RCW 43.79A.040 and
4 43.79A.040; adding a new chapter to Title 18 RCW; providing an
5 effective date; and providing an expiration date.

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

7 NEW SECTION. **Sec. 1.** The definitions in this section apply
8 throughout this chapter unless the context clearly requires
9 otherwise.

10 (1) "Administration session" means a session at which a client
11 consumes and experiences the effects of psilocybin under the
12 oversight of a clinical facilitator.

13 (2) "Clinical facilitator" means a person with a health
14 credential in good standing who is regulated under chapter 18.130 RCW
15 with a scope of practice including independent clinical work, who has
16 received training in psychedelic harm reduction integration, and is
17 registered with the department to oversee psilocybin administration
18 sessions.

19 (3) "Department" means the department of health.

1 (4) "Psilocybin" means the psychoactive substance found in
2 certain species of mushrooms and used in the Washington psilocybin
3 pilot program established under this chapter.

4 (5) "Psychedelic harm reduction integration" means a well-
5 established theory delineating how health professionals can apply the
6 skills of their profession ethically and legally within their scope
7 of practice to advise or treat patients who are contemplating
8 therapeutic use of psilocybin, or integrating lessons learned
9 following the use of psilocybin.

10 (6) "Service center" means a nonprofit entity licensed by the
11 department to cultivate psilocybin, provide supervised psilocybin
12 administration sessions, and other functions described under this
13 chapter within the Washington psilocybin pilot program.

14 NEW SECTION. **Sec. 2.** The Washington psilocybin pilot program is
15 established at the department to provide supervised, therapeutic
16 access to psilocybin within a controlled, clinical setting in up to
17 three pilot sites in the state of Washington.

18 NEW SECTION. **Sec. 3.** The department shall license up to three
19 service centers to serve as pilot sites under this chapter. A service
20 center may stand alone or be collocated with the provision of other
21 health-related services and may host events that do not conflict with
22 the terms of this chapter. A service center must:

23 (1) Ensure that clinical facilitators and individuals under their
24 supervision who participate in administration sessions register with
25 the department and meet the other requirements of this chapter;

26 (2) Only use psilocybin cultivated at the service center, or at
27 another service center licensed under this chapter, the form of which
28 shall be limited to unadulterated forms of either dried mushrooms or
29 psilocybin-infused tea. Psilocybin must be tested according to a plan
30 developed under section 5 of this act, packaged in child-resistant
31 packaging that would not be visually appealing to minors, and clearly
32 labelled to indicate contents and dosage;

33 (3) Implement reasonable security measures for storage and
34 cultivation of psilocybin, including implementation of a limited
35 access area to prevent unauthorized handling or exposure, and other
36 measures that prevent psilocybin from being converted to unauthorized
37 use or leaving the premises except for purposes of sale or exchange

1 with another service center licensed under this chapter or for
2 testing under section 5 of this act; and

3 (4) Protect client information as specified in section 6 of this
4 act.

5 NEW SECTION. **Sec. 4.** (1) All clients of service centers must
6 undergo a preparation session with a clinical facilitator before
7 participating in an administration session, and an integration
8 session with a clinical facilitator within three days after an
9 administration session to help the client process the experience and
10 apply insights gained during the administration session. These
11 sessions may be remote or in-person. Before the start of the
12 administration session, the clinical facilitator must collect client
13 information, conduct a screening to ensure the client meets
14 eligibility requirements, ensure the client receives education on the
15 potential risks and benefits of psilocybin, and establish appropriate
16 safety protocols to address any complications that arise during the
17 administration session. A clinical facilitator may decline to approve
18 a client for an administration session based on the client's risk
19 profile, or for any other reason not prohibited by law.

20 (2) A clinical facilitator must supervise an administration
21 session with a client, either by participating directly in the
22 administration session, or by overseeing the participation of a
23 trained individual. The administration session must take place in-
24 person at the service center in a designated room designed to provide
25 a safe and calming environment. Either the clinical facilitator or
26 trained individual must stay with the client for the entire duration
27 of the psilocybin's effect.

28 (a) In addition to maintaining a health credential in good
29 standing, a clinical facilitator must complete a psychedelic harm
30 reduction integration course of at least four hours that includes
31 psychedelic harm reduction integration principles, best practices for
32 psilocybin facilitation, and safety procedures if adverse events
33 occur. The clinical facilitator must provide proof of completion and
34 the curriculum must be registered with the department.

35 (b) A trained individual under this section who does not meet
36 requirements for being a clinical facilitator must document
37 completion of a recognized course in psychedelic facilitation
38 including, but not limited to, a course affiliated with the
39 multidisciplinary association for psychedelic studies, or any course

1 accepted as meeting educational requirements for regulated
2 facilitation in a state with a legalized system for supported adult
3 use of psilocybin. A clinical facilitator must be present in the
4 building or available on call for the duration of an administration
5 session conducted by a trained individual.

6 NEW SECTION. **Sec. 5.** Each service center that cultivates
7 psilocybin must contract with a laboratory certified under chapter
8 15.150 or 69.50 RCW to develop a plan to submit representative
9 samples of psilocybin products for independent, third-party testing
10 to determine the potency and dosage of psilocybin products, and
11 safety from contaminants or impurities. The psilocybin testing plan
12 must meet reasonable industry standards and be maintained by the
13 service center and filed with the department.

14 NEW SECTION. **Sec. 6.** (1) A service center must protect client
15 information. Neither the service center nor the department may
16 disclose information that could be used to identify a client to third
17 parties without client consent.

18 (2) The department must require service centers to collect
19 information relating to client characteristics, outcomes of
20 administration sessions, adverse events, and safety. The department
21 must also solicit follow-up information at predetermined intervals
22 that would allow a researcher to analyze the outcomes of the program
23 and make findings relating to safety and effectiveness in addressing
24 conditions including, but not limited to, anxiety, depression,
25 posttraumatic stress disorder, and substance use disorders. The
26 services must report this information to the department, which must
27 make the information available for research purposes.

28 (3) The department must offer to consult with the research
29 entities around the state in its rule-making process to optimize the
30 utility of information gathering for potential research projects
31 including, but not limited to, the University of Washington,
32 Washington State University, the Washington state institute for
33 public policy, the research and data administration of the department
34 of social and health services, and other interested agencies.
35 Entities consulting with the department under this section must do so
36 within existing resources.

37 (4) Unless an appropriation is provided, research entities using
38 data collected by the Washington psilocybin pilot program must

1 provide their own funding or use funding provided under section 12 of
2 this act. The department must encourage a comprehensive program
3 evaluation after two years of operation to allow the governor and
4 legislature to consider the effectiveness of the Washington
5 psilocybin pilot program and whether the program should be
6 discontinued or expanded, and must facilitate this evaluation if
7 funding is provided for this purpose.

8 NEW SECTION. **Sec. 7.** Licensees, licensee representatives,
9 registered individuals, laboratory personnel, department employees,
10 clients, client caretakers, and others operating within the scope of
11 this chapter may deliver and possess psilocybin without violating
12 chapter 69.50 RCW or committing any other criminal or civil offense
13 under the laws of this state.

14 NEW SECTION. **Sec. 8.** Health professionals credentialed by the
15 state of Washington may not be subject to adverse credentialing
16 action for recommending psilocybin therapy services, counseling
17 clients related to use of psilocybin, or for participating in
18 activities authorized under this chapter.

19 NEW SECTION. **Sec. 9.** This chapter is designed to operate
20 uniformly throughout the state and is paramount and superior to, and
21 fully replaces and supersedes any, municipal charter or local
22 ordinance inconsistent with this chapter, provided that this chapter
23 does not preclude or supersede local ordinances relating to the
24 decriminalization of psychedelic substances or the prioritization of
25 enforcement of criminal laws related to psychedelic substances.

26 NEW SECTION. **Sec. 10.** The governing body of a city or county
27 may adopt ordinances that impose reasonable regulations on the
28 operation of businesses located at premises for which a license has
29 been issued under this chapter. However, the governing body of a city
30 or county may not prohibit the establishment of entities licensed
31 under this chapter except in areas zoned primarily for residential
32 use, and may not impose restrictions on licensees under this chapter
33 that restrict the proximity of the licensee to a school or other
34 specific entity or location.

1 NEW SECTION. **Sec. 11.** License and registration fees adopted
2 under this chapter may not exceed, together with other funds
3 collected under this chapter, the cost of administering this chapter,
4 and must be deposited in the Washington psilocybin pilot program
5 account established under section 12 of this act.

6 NEW SECTION. **Sec. 12.** The Washington psilocybin pilot program
7 account is created in the custody of the state treasurer. All
8 receipts from fees collected under this chapter and receipts from the
9 public-private partnership under section 13 of this act must be
10 deposited into the account. Expenditures from the account may be used
11 only to administer and enforce this chapter. Only the secretary of
12 the department or the secretary's designee may authorize expenditures
13 from the account. The account is subject to allotment procedures
14 under chapter 43.88 RCW, but an appropriation is not required for
15 expenditures.

16 NEW SECTION. **Sec. 13.** The department may receive private
17 donations to the Washington psilocybin pilot program account to form
18 a public-private partnership to raise funds to support the pilot
19 program. Donations received under this section may be used by the
20 department to fund research efforts, to subsidize access for low-
21 income clients at service centers, to reduce fees and costs
22 associated with program implementation or operation, or for other
23 benevolent purposes related to this chapter.

24 NEW SECTION. **Sec. 14.** This chapter must be construed to
25 maximize protection of religious practices involving psychedelic
26 substances consistent with the religious freedom restoration act, 42
27 U.S.C. Chapter 21B.

28 NEW SECTION. **Sec. 15.** The department must adopt rules to
29 implement the Washington psilocybin pilot program by March 30, 2027.
30 Rule making is limited to the following areas: (1) Safety guidelines
31 for the operation of service centers; (2) ethical and safety
32 guidelines for conducting administration sessions at service centers;
33 (3) procedural regulations for licensure and registration functions
34 under this chapter; and (4) processes for verification of legal
35 compliance with the requirements of this chapter.

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

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

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

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

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

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

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

1 trust fund, the tuition recovery trust fund, the industrial insurance
2 premium refund account, the mobile home park relocation fund, the
3 natural resources deposit fund, the Washington state health insurance
4 pool account, the federal forest revolving account, the Washington
5 saves administrative treasury trust account, the Washington
6 psilocybin pilot program account, and the library operations account.

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

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

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

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

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

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

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

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

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

6 (b) The following accounts and funds must receive their
7 proportionate share of earnings based upon each account's or fund's
8 average daily balance for the period: The 24/7 sobriety account, the
9 Washington promise scholarship account, the Gina Grant Bull memorial
10 legislative page scholarship account, the Rosa Franklin legislative
11 internship program scholarship account, the Washington advanced
12 college tuition payment program account, the Washington college
13 savings program account, the accessible communities account, the
14 Washington achieving a better life experience program account, the
15 Washington career and college pathways innovation challenge program
16 account, the community and technical college innovation account, the
17 agricultural local fund, the American Indian scholarship endowment
18 fund, the behavioral health loan repayment and scholarship program
19 account, the Billy Frank Jr. national statuary hall collection fund,
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21 scholarship trust fund, the contract harvesting revolving account,
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24 administration board emergency loan account, the toll collection
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5 investment district account, the rural rehabilitation account, the
6 Washington sexual assault kit account, the stadium and exhibition
7 center account, the youth athletic facility account, the self-
8 insurance revolving fund, the children's trust fund, the Washington
9 horse racing commission Washington bred owners' bonus fund and
10 breeder awards account, the Washington horse racing commission class
11 C purse fund account, the individual development account program
12 account, the Washington horse racing commission operating account,
13 the life sciences discovery fund, the Washington state library-
14 archives building account, the reduced cigarette ignition propensity
15 account, the center for deaf and hard of hearing youth account, the
16 school for the blind account, the Millersylvania park trust fund, the
17 public employees' and retirees' insurance reserve fund, the school
18 employees' benefits board insurance reserve fund, the public
19 employees' and retirees' insurance account, the school employees'
20 insurance account, the long-term services and supports trust account,
21 the radiation perpetual maintenance fund, the Indian health
22 improvement reinvestment account, the department of licensing tuition
23 recovery trust fund, the student achievement council tuition recovery
24 trust fund, the tuition recovery trust fund, the industrial insurance
25 premium refund account, the mobile home park relocation fund, the
26 natural resources deposit fund, the Washington state health insurance
27 pool account, the federal forest revolving account, the Washington
28 saves administrative treasury trust account, the Washington
29 psilocybin pilot program account, and the library operations account.

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

37 (d) Any state agency that has independent authority over accounts
38 or funds not statutorily required to be held in the custody of the
39 state treasurer that deposits funds into a fund or account in the
40 custody of the state treasurer pursuant to an agreement with the

1 office of the state treasurer shall receive its proportionate share
2 of earnings based upon each account's or fund's average daily balance
3 for the period.

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

7 NEW SECTION. **Sec. 18.** Sections 1 through 15 of this act
8 constitute a new chapter in Title 18 RCW.

9 NEW SECTION. **Sec. 19.** Section 16 of this act expires July 1,
10 2030.

11 NEW SECTION. **Sec. 20.** Section 17 of this act takes effect July
12 1, 2030.

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