



# MARIJUANA MOMENT

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POLITICS

## Psilocybin Services Would Be Legalized In Washington State Under New Bill



Published 1 day ago on January 6, 2022

By Ben Adlin



A pair of Washington State lawmakers this week introduced legislation that would legalize what the bill calls “supported psilocybin experiences” by adults 21 and older.



If enacted, the Psilocybin Wellness and Opportunity Act would allow individuals to consume products containing psilocybin and psilocin, the two main active ingredients in psychedelic mushrooms, under the support of a trained and state-licensed psilocybin service administrator.




While most people would need to go into a licensed service center, those with certain medical conditions, including those unable to travel, could qualify to receive psilocybin products at home and meet with facilitators remotely.


Mason Marks, a senior fellow and project lead on the Project at Psychedelics Law and Regulation at Harvard Law School who helped to draft some sections of the bill, told Marijuana Moment that it “builds on the momentum of previous psilocybin policy reform efforts in Seattle and across the country.”

Voters in neighboring Oregon passed an initiative in 2020 to [legalize supported psilocybin treatment for mental health](#). That program is currently in a two-year development phase, with license applications expected to be accepted starting next January. Seattle, meanwhile,

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became the [largest U.S. city to decriminalize psychedelics](#) following a City Council resolution in October.

The new statewide Washington bill would establish a legal, regulated psilocybin industry available to all adults of legal age.

“Under supported adult use, psilocybin services are made available to people 21 and older for nearly any purpose,” Mason Marks, a senior fellow and project lead on the Project at Psychedelics Law and Regulation at Harvard Law School, who helped author the bill, said in a [blog post](#) about the bill. “The Act specifies that clients need not have a medical condition to participate, and psilocybin services in Washington will not constitute medical diagnoses or treatment.”

Nationally and internationally recognized medical institutions have shown that psilocybin can help treat “a variety of behavioral health conditions,” the bill, sponsored by Sens. Jesse Salomon (D) and Liz Lovelett (D), says, “including but not limited to addiction, depression, anxiety disorders, and end-of-life psychological distress.”

Salomon told Marijuana Moment that while mental health issues are exacerbated amid the COVID pandemic, “it is exciting to know that research shows that guided, safe and certified psilocybin services have some of the best results compared to any therapy in curing addiction, anxiety, depression and addressing inner challenges people face.”

“This is a practice as old as humanity itself and it is time to incorporate this opportunity to heal into our toolbox here in Washington state,” he said. “We should not deny ourselves the benefits of these services when there is so much suffering in our communities.”

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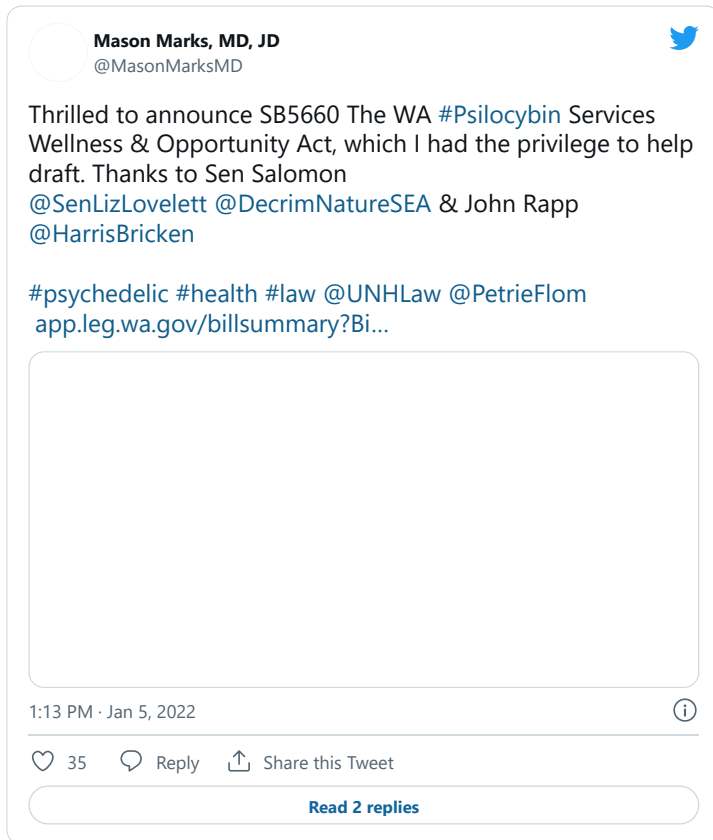
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A media representative for Salomon told Marijuana Moment the bill “basically follows the thrust” of Oregon’s psilocybin initiative “but incorporates some modifications to address problems Oregon encountered with implementation.”

Under the legislation, [SB 5660](#), the state Department of Health would issue licenses and regulate the new industry. The act would further establish the Washington Psilocybin Advisory Board within the department to advise on issues such as available scientific and social research, best practices for supported use as well as criteria for the bill’s social opportunity program.

“This bill is unique because it focuses on access, opportunity, and equity in ways no previous bill has,” Marks told Marijuana Moment, pointing to the legislation’s provision for home services and an option for would-be facilitators to complete most training from home. The

bill's social opportunity program, he said, "will provide reduced licensing fees, training, and other benefits to licensees from lower income parts of the state."



Washington's Health Department would need to adopt rules for a "comprehensive regulatory framework" during an 18-month development period following the bill's passage. The department must begin receiving applications to manufacture psilocybin products, operate a service center, facilitate psilocybin services or test products beginning January 2, 2024.

Services wouldn't be permitted within the limits of an incorporated city or town unless that jurisdiction specifically allowed them, nor could they be located in areas zoned exclusively for residential use. With some exceptions, they would also need to be more than 1,000 feet from elementary or secondary schools. Until 2026, licensees would need to be residents of Washington or entities with majority ownership and control by Washington residents.

To qualify for the social opportunity program, applicants or more than half of their employees would need to be from low-income "distressed areas," designated by enrollment in the federal free lunch program, or meet other criteria to be established by the Health Department during the program's development period.

John Rapp, an attorney at the cannabis-focused firm Harris Bricken who also helped to draft the legislation, told Marijuana Moment in an email that he was "especially excited at the inclusion of the innovative Social Opportunity Program," adding that such equity measures are a "big piece missing in drug decrim." (Washington lawmakers adopted the state's [first social equity program legal marijuana](#) only in 2020, several years into legalization.)

Employers would be barred under the new proposal from discriminating against people for receiving legal psilocybin services unless they showed visible impairment at work and couldn't test workers unless they exhibit "clear, observable symptoms of impairment."

Last October, Seattle's City Council unanimously approved a resolution to [decriminalize noncommercial activity around a wide range of psychedelic substances](#), including the cultivation and sharing of psilocybin mushrooms, ayahuasca, ibogaine and non-peyote-derived mescaline. The measure extended what was already city policy not to arrest or prosecute people for personal drug possession to further protect the cultivation and sharing of psychedelic plants and fungi for "religious, spiritual, healing, or personal growth practices."

Councilmember Andrew Lewis, who introduced the resolution, [told Marijuana Moment in an interview](#) that he believed “we’re in a position where, I think, we could see movement pretty quickly from the state,” noting that he’s received very little blowback from constituents about his own proposal.

Seattle’s resolution was inspired in part by the City Council’s interest in reducing opioid-related deaths. Members in June formally asked a local task force studying the overdose crisis [to examine “public policy governing psychedelic medicines.”](#) Three months later, the task force [recommended the city decriminalize psychedelics](#) and consider removing criminal penalties around all drugs. Members of the advocacy group Decrim Nature Seattle, meanwhile, had spent more than two years lobbying the council to end penalties for cultivating and sharing psychedelics.

Washington lawmakers last legislative session considered a bill that [would have removed all penalties](#) for possession of relatively small, “personal use” amounts of drugs and instead invested in treatment and recovery services. While that legislation died in committee, lawmakers from both parties acknowledged at the time that the state’s drug control apparatus was broken.

Shortly thereafter, the state Supreme Court [overturned Washington’s felony law against drug possession completely](#), sending lawmakers scrambling to replace the law. Ultimately they approved a modest reform, [reducing the state’s felony charge for drug possession to a misdemeanor](#), and earmarking more money for treatment. But the law’s criminal penalties will expire in 2023, an effort to encourage lawmakers to revisit the policy.

Last September, officials in the state attorney general’s office [joined in the effort of cancer patients and palliative care workers](#) who are [suing the U. S. Drug Enforcement Administration \(DEA\)](#) for access to psilocybin under state and federal right-to-try laws, which allow patients with terminal conditions to try investigational medications that have not been approved for general use.

Dr. Sunil Aggarwal, co-director for the Advanced Integrated Medical Science (AIMS) Institute, one of the plaintiffs in that case, told Marijuana Moment in an email Wednesday that while the 69-page psilocybin bill introduced this week has “too many details to comment on,” he was happy to see the legislation introduced and thinks it’s a step in the right direction.

“I believe it could be more permissive and respectful of freedom and include clear decriminalization of psilocybin along with licensed use frameworks, to show respect for traditional and customary use of psilocybin by the people of the state,” he said. “Additionally, I would like to see some kind of fast track pathway created for those who may have shortened life expectancies and will not be able to wait the 18 months that are proposed here for rule making and implementation. There is no need to reinvent the wheel or make this terribly onerous.”

Jurisdictions across the country are increasingly removing or reducing penalties around drug possession and consumption, especially when it comes to psychedelics. Since Denver in 2019 became the first U.S. city to decriminalize psilocybin mushrooms, a number of states and municipalities have made similar changes.

Oregon voters passed a pair of initiatives in 2020 to [legalize psilocybin therapy](#) and [decriminalize possession of all drugs](#), and Washington, D.C. voters approved a ballot measure that year to [deprioritize enforcement of laws criminalizing psychedelics](#).

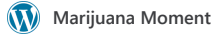
Other states have passed more moderate measures, for example Connecticut, which last year passed a law requiring the state to [carry out a study into the therapeutic potential of psychedelics](#). Texas also adopted a law last year to [study the benefits of psychedelics for military veterans](#).

California made a push to legalize psychedelics possession last year, and while that measure was put on pause, the bill’s sponsor says he has [plans to move it across the finish line](#) this year. Lawmakers in other large states, including [Florida](#) and [New York](#) have recently filed psychedelics reform bills.

How federal prosecutors would respond to legal psilocybin in Washington state is still an open question. The new bill notes that officials will attempt to meet with federal prosecutors in the state “to discuss this chapter and potential federal enforcement policies regarding psilocybin in Washington after the expiration of the 18-month program development period.”

## New York Governor Announces \$200 Million Marijuana Fund To Promote Industry Equity

The governor of New York says her administration is creating a \$200 million public-private fund to specifically help promote social equity in the state’s burgeoning marijuana market. Gov. Kathy Hochul (D) released an extensive State of the State book on Wednesday, detailing policies she will pursue in 2022—and promoting equity and economic justice in the ... Continue reading



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Ben Adlin



Ben Adlin is a Seattle-based writer and editor. He has covered cannabis as a journalist since 2011, most recently as a senior news editor for Leafly.

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# New Republican-Led Bill Would Legalize Medical Cannabis In Kentucky



Published 5 hours ago on January 7, 2022

By **Ben Adlin**



A new Republican-led bill to legalize medical marijuana in Kentucky landed in the state legislature this week. The measure is an update to lead sponsor Rep. Jason Nemes's (R) past legalization efforts and includes a number of conservative-minded adjustments aimed at winning broad support among lawmakers, including leaders of his own party who control the legislative agenda.

Nemes filed a medical legalization bill in 2020 that [soundly passed the House](#) but later died in the Senate without a vote amid the early part of the coronavirus pandemic. He [reintroduced the legislation](#) for the 2021 session, but it did not advance. In recent months, Nemes [has worked to build support for a new scaled-back version of the bill for 2022](#) and in October

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# Anti-Drug GOP Senator Helps Psychedelic Church With Fight Against DEA And IRS



Published 6 hours ago on January 7, 2022

By **Kyle Jaeger**



A Republican U.S. senator who's known as staunchly anti-drug has apparently been helping an Iowa church that wants to incorporate the psychedelic brew ayahuasca into its ceremonies.

Specifically, Sen. Chuck Grassley's (R-IA) office has tried to help the church get answers about requests it filed with the Drug Enforcement Administration (DEA) and Internal Revenue Service (IRS).

The Iowaska Church of Healing has been trying without success to obtain a religious exemption from the Controlled Substances Act (CSA), which designates ayahuasca as illegal, and tax-exempt status from the Internal Revenue Service (IRS). It's currently litigating against

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## California Awards \$100 Million To Support Local Marijuana Business Development



Published 8 hours ago on January 7, 2022

By **Kyle Jaeger**



California officials announced on Wednesday that the state has awarded \$100 million in funding to help develop local marijuana markets, in part by getting cannabis businesses fully licensed.

The state Department of Cannabis Control (DCC) distributed the funds to 17 cities and counties where there are a disproportionate number of provisional marijuana licenses, rather than full-year licenses. The department first announced that [applications for the Local Jurisdiction Assistance Grant Program had opened](#) in October.

Provisional licenses were allowed to be granted to business applicants as a way to more

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