



Can a Religious Exemption Boost Legal Psilocybin Access in Oregon?



BY ALEXANDER LEKHTMAN APRIL 27, 2022





Within weeks, the Oregon Health Authority (OHA) is expected to finalize the first official rules for how its legal psilocybin therapy will work. It's the next big step after Oregon voters approved the program under Measure 109 in November 2020. But not everyone is satisfied with the anticipated results, and a different path to psilocybin access is gathering momentum.




As *Filter* has reported, over the last few months an independent advisory board, working with the state, has released draft rules and regulations—focused on psilocybin products and lab testing, and how therapists or “facilitators” will be taught and trained to administer the drug to patients. No medical diagnosis will be required; instead, psilocybin therapy will theoretically be available to anyone who






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But here’s the problem: After studying these proposed rules, even the OHA **has concluded** that the testing and training requirements would create higher costs for businesses that will be passed onto patients—effectively excluding lower-income residents. It’s a major concern for advocates, who have been anxious to ensure this historic psilocybin initiative **doesn’t become another big money cash-grab**, like legal cannabis.

That’s why one advocate has been pushing for an alternative route within this therapy model, to allow spiritual or religious groups to hold psilocybin ceremonies. Jon Dennis, an attorney and host of the *podcast Eyes on Oregon*, has submitted an idea to the advisory board, an **‘entheogenic practitioners proposal.’** He testified about **if** to the licensing and equity subcommittees in February and March,  and the subcommittees approved it on **March 3** and **March 18**,  respectively. 

The proposal would work by allowing spiritual or religious groups to be licensed as psilocybin “service centers” giving them the unique privilege of holding group ceremonies. Dennis explained to *Filter* that it would be restricted to nonprofit and cooperative organizations that work with spiritual communities. This could include traditional religious settings like Christian churches or Buddhist temples, or even “psilocybin churches,” **like this one** based in Kentucky.   

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to exist without having to be in the underground.”

These organizations could also train and “certify” peers to support people under the influence of the drug. A licensed psilocybin facilitator would have to be on-site, but they wouldn’t need to lead or be present at the ceremony itself, which could instead be led by a religious figure or shaman. The shaman would be permitted to consume psilocybin during the ceremony—something the regular therapy program would prohibit.

“It’s creating more space for these psilocybin [organizations] to exist without having to be in the underground,” Rebecca Martinez, executive director of the Alma Institute, told *Filter*. “It’s a harm reduction approach, and it’s an acknowledgement these things are happening and if we don’t allow it under Measure 109, it will still happen.”

Martinez—whose organization, currently pursuing federal nonprofit status, stands to benefit financially as a training provider under Measure 109—has participated in the rule-making process through her role on the advisory board’s training and equity subcommittees.

Dennis’s proposal would also allow outdoor group ceremonies, which could certainly be more stimulating than clinics. There would be fewer barriers to participation than in the therapy model, where patients will have to go through intake procedures and safety screening anytime they use psilocybin services. Participants under the religious proposal could attend as many ceremonies as they wanted, only having to be screened once a year. They wouldn’t need to be members of a church or equivalent organization—they could simply show up when they wished.

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participants.

Spiritual or religious entities could grow their own mushrooms on-site and sell them to participants for use during the ceremony.

Whereas the proposed product rule under the therapy pathway mandates that only *cubensis* mushrooms can be used out of the many psilocybin species, the proposal would allow organizations to grow whatever mushrooms they choose. And crucially, they would be subject to less strict—therefore less expensive—lab-testing requirements, reducing costs for participants.

It all sounds great on paper. But Dennis anticipates that the biggest barrier will be the first step—earning a “service center” license. This will likely be the most expensive license in the psilocybin program, he explained, as the state would probably charge these organizations high fees and impose restrictive real-estate requirements.

But once that hurdle is overcome, he continued, the special privileges that spiritual and religious organizations receive should make their psilocybin products and facilitation services far cheaper in the long term, and therefore more inclusive for lower-income participants.

“ Decision time is approaching.

Will the Oregon Health Authority approve this approach? So far, it hasn’t taken a stance. Public support for the proposal is growing, however.

Bronner’s soap company, the largest funder of Measure 109. And last week, at the second of two public hearings the OHA held for Oregon

residents to give feedback on the proposed rules, Dennis said that about three in four comments supported the proposal.

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Decision time is approaching—the psilocybin advisory board may vote on the proposal at its **May 25 meeting**. And if it approves it, the OHA will need to weigh in.

Photograph of a Buddhist temple in Thailand by Eddie Blatt on Unsplash



Alexander Lekhtman

Alexander is *Filter's* staff writer. He writes about the movement to end the War on Drugs. He grew up in New Jersey and swears it's actually alright. He's also a musician hoping to change the world through the power of ledger lines and legislation. Alexander was previously *Filter's* editorial fellow.



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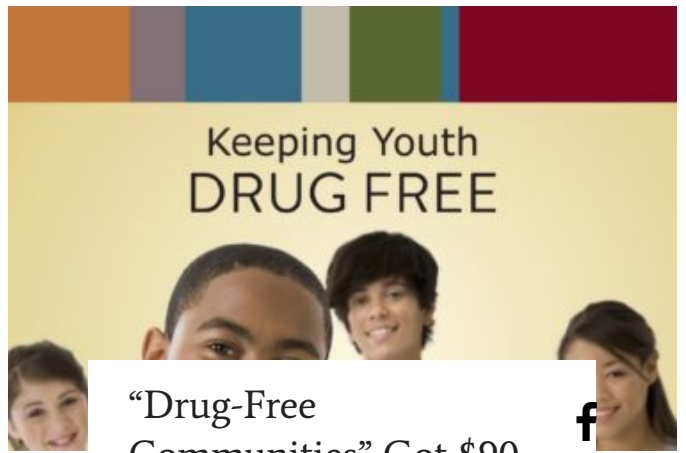
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