

May 2024 Legal work group update

In the 2023 legislative session, a Psychedelic Medicine Task Force was established to advise the legislature on the legal, medical, and policy issues associated with the legalization of psychedelic medicine in the state.

Legal work group supports the legalization of natural mushrooms only for adult regulated use. The well-documented benefits greatly outweigh the risks and are consistent with public preference.

The legal work group supports continued research into the therapeutic/medicinal use of synthetic psilocybin, MDMA and LSD. To what extent our task force wants to recommend additional studies to be created/funded has not been discussed.

- Addresses concerns about “reduce risk of federal involvement”
 - Non-medical, separate from health care, do not make medical claims
 - Keep it simple? Or robust? Key is **responsible?**
 - No interstate commerce – transactions across state borders
 - Controlled Substances Act – prohibits illegal drug use in facilities. Greater risk if also providing the substance.
 - Avoid feds having to “state their position”
 - Shane Pennington; Recommend medical trials to get more data and build out medical pathway - similar to methadone. Significant divergence from three other legal experts we consulted (Mason Marks, Tamar Todd, Ariel Clark)
 - Mason Marks suggest we look at Germany – international system of cooperatives that test for quality. Also the Netherlands – soft approach to plant based substances. Sell truffles (grow underground and common in Mediterranean climates). Consumer education at point of sale. Gray area – very high level of prosecutorial discretion.
- Office of Cannabis Management open to administering but too busy now to think about it- Adam has been in contact with their lead
- Limited to natural mushrooms (easy to cultivate) does not colonize Indigenous medicines
- Concerns about informed consent and ways to reduce risk
 - Public education campaign
 - Require demonstrated knowledge of risks – education with test?
 - Possible professional screening to discuss risks, education, contraindications which and qualify people via access card?
- State certified facilitators that are optional for people to hire?

- Per Jessica Nielson – Denver after 2 years of psilocybin decriminalization that hasn't found a noticeable change in public health concerns or safety issues:

Legal Data:

2023 Data from the 21 task forces that receive state funding:

- Psilocybin mushrooms - 70 people arrested statewide in 2023, 20lbs of mushrooms seized - Mostly from a few big seizures
- LSD – 10 arrests in 2023, 274 dosage units
- MDMA – 24 arrests in 2023, 579 dosage units of pills (ecstasy), more categorized by “molly” as powdered 156grams (different dosage units).

Per Adam: Minneapolis Psilocybin violations: Only 1 case each year 2022- 2024. 2 involved guns.