

# House File 620 - Introduced

HOUSE FILE 620  
BY WILLS

## A BILL FOR

1 An Act relating to the production of psilocybin and the  
2 administration of psilocybin to persons with post-traumatic  
3 stress disorder, and providing penalties.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. Section 124.401, subsection 5, Code 2025, is  
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. g. A person may knowingly or intentionally  
4 recommend, possess, use, dispense, deliver, transport, or  
5 administer psilocybin if the recommendation, possession, use,  
6 dispensing, delivery, transporting, or administering is in  
7 accordance with the provisions of chapter 124F.

8 Sec. 2. NEW SECTION. **124F.1 Definitions.**

9 For the purposes of this chapter, unless the context otherwise  
10 requires:

11 1. "Active psilocybin" means the psychoactive chemical with  
12 the chemical abstracts service registry number 520-52-5.

13 2. "Adulterant" means a poisonous or deleterious substance in  
14 a quantity that may be injurious to health.

15 3. "Adverse event" means an injury or suspected injury to  
16 a patient that results in an escalation of care, harm to a  
17 patient, or rescue of a patient and occurs during a psilocybin  
18 administration session or within twenty-four hours from when the  
19 administration session ended.

20 4. "Community location" means a public or private elementary  
21 or secondary school, a church, a public library, a public  
22 playground, or a public park.

23 5. "Cultivation space" means, quantified in square feet,  
24 the horizontal area in which a psilocybin cultivation facility  
25 cultivates psilocybin, including each level of horizontal area if  
26 the psilocybin cultivation facility hangs, suspends, stacks, or  
27 otherwise positions plants above other plants in multiple levels.

28 6. "Department" means the department of health and human  
29 services.

30 7. "Family member" means a parent, stepparent, spouse, child,  
31 sibling, stepsibling, uncle, aunt, nephew, niece, first cousin,  
32 mother-in-law, father-in-law, brother-in-law, sister-in-law,  
33 son-in-law, daughter-in-law, grandparent, or grandchild.

34 8. "Independent psilocybin testing laboratory" means a person  
35 that does any of the following:

1     a. Conducts a chemical or other analysis of psilocybin or a  
2 psilocybin product.

3     b. Acquires, possesses, and transports psilocybin or a  
4 psilocybin product with the intent to conduct a chemical or other  
5 analysis of the psilocybin or psilocybin product.

6     9. "*Independent psilocybin testing laboratory agent*" means an  
7 individual who holds a valid psilocybin production establishment  
8 agent registration card with a psilocybin testing laboratory  
9 designation.

10    10. "*Inventory control system*" means a system described in  
11 section 124F.2.

12    11. "*Licensing board*" means the psilocybin production  
13 establishment licensing board created pursuant to section 124F.4.

14    12. "*Patient*" means an individual for whom a qualified  
15 medical psilocybin provider recommends psilocybin.

16    13. "*Payment provider*" means an entity that contracts with  
17 a psilocybin production establishment to facilitate transfer  
18 of funds between the establishment and another business or  
19 individual.

20    14. "*Psilocybin*" means a fresh mushroom containing psilocybin  
21 or psilocin.

22    15. "*Psilocybin administration session*" means the time period  
23 from when a qualified medical provider administers psilocybin to  
24 a patient to the time the patient leaves the qualified therapy  
25 provider location.

26    16. "*Psilocybin biomass*" means any part of a  
27 psilocybin-containing fungus.

28    17. "*Psilocybin byproduct*" means any part of a  
29 psilocybin-containing mushroom which is not used or intended for  
30 sale.

31    18. "*Psilocybin cultivation facility*" means a person that  
32 possesses psilocybin, grows or intends to grow psilocybin, and  
33 sells or intends to sell psilocybin to a qualified therapy  
34 provider.

35    19. "*Psilocybin cultivation facility agent*" means an

1 individual who holds a valid psilocybin production establishment  
2 agent registration card with a cultivation facility designation.

3 20. "*Psilocybin product*" means any portion of a  
4 psilocybin-containing mushroom that has been dried and is  
5 intended for oral consumption by a patient.

6 21. "*Psilocybin production establishment*" or "*establishment*"  
7 means a psilocybin cultivation facility or an independent  
8 psilocybin testing laboratory.

9 22. "*Psilocybin production establishment agent registration*  
10 *card*" means a registration card issued by the department that  
11 authorizes an individual to act as a psilocybin production  
12 establishment agent, and that designates the type of psilocybin  
13 production establishment for which an individual is authorized to  
14 act as an agent.

15 23. "*Qualified medical psilocybin provider*" means a physician  
16 and surgeon or osteopathic physician and surgeon licensed  
17 pursuant to chapter 148, a physician assistant licensed pursuant  
18 to chapter 148C, an advanced registered nurse practitioner  
19 licensed under chapter 152, or an advanced practice registered  
20 nurse under chapter 152E, who is registered by the department  
21 under section 124F.24 to recommend treatment with psilocybin.

22 24. "*Qualified therapy provider*" means a physician and  
23 surgeon or osteopathic physician and surgeon licensed pursuant to  
24 chapter 148, a physician assistant licensed pursuant to chapter  
25 148C, an advanced registered nurse practitioner licensed under  
26 chapter 152, an advanced practice registered nurse under chapter  
27 152E, a psychologist licensed pursuant to chapter 154B, or a  
28 social worker licensed pursuant to chapter 154C who is registered  
29 by the department to administer treatment with psilocybin.

30 25. "*Qualified therapy provider agent*" means an individual  
31 who holds a valid qualified therapy provider agent registration  
32 card.

33 26. "*Qualified therapy provider agent registration card*"  
34 means a registration card issued by the department that  
35 authorizes an individual to act as a qualified therapy provider

1 agent.

2 27. "*Qualified therapy provider location*" or "*provider*  
3 *location*" means a facility with all of the following:

4 a. A single, secure public entrance.

5 b. A security system with a backup power source that detects  
6 and records entry and provides notice of an unauthorized entry to  
7 law enforcement when the facility is closed.

8 c. A lock or equivalent restrictive security feature on any  
9 area where the psilocybin or psilocybin product is stored at the  
10 facility.

11 Sec. 3. NEW SECTION. **124F.2 Inventory control system.**

12 1. Each psilocybin production establishment and qualified  
13 therapy provider shall maintain an inventory control system that  
14 meets all of the requirements of this section.

15 2. An inventory control system shall do all of the following:

16 a. Track, in real time, psilocybin and psilocybin product  
17 using a unique identifier from the time psilocybin is ready to  
18 be harvested.

19 b. Maintain in real time a record of the amount of psilocybin  
20 or psilocybin product in the possession of the establishment or  
21 provider.

22 c. Include a video recording system that is tamper proof and  
23 does all of the following:

24 (1) Tracks all handling and processing of psilocybin or  
25 psilocybin product in the establishment or provider location.

26 (2) Stores each video record for at least forty-five days.

27 3. A psilocybin production establishment or qualified therapy  
28 provider shall allow the department, or a financial institution  
29 designated by the department, to validate transactions to access  
30 the inventory control system at any time.

31 4. The department shall adopt rules pursuant to chapter  
32 17A to implement this section, and the rules shall include  
33 requirements for aggregate or batch records regarding the  
34 planting and propagation of psilocybin before being tracked, and  
35 which may include compatibility standards for inventory control

1 systems.

2     Sec. 4. NEW SECTION.   **124F.3 Notice to prospective and**  
3 **current public employees.**

4     Prior to giving a current employee an assignment or duty that  
5 arises from or directly relates to an obligation under this  
6 chapter, or hiring a prospective employee whose assignments or  
7 duties would include an assignment or duty that arises from  
8 or directly relates to an obligation under this chapter, a  
9 state employer or a political subdivision employer shall give  
10 the employee or prospective employee a written notice that the  
11 employee's or prospective employee's job duties may require the  
12 employee or prospective employee to engage in conduct which is in  
13 violation of the criminal laws of the United States.

14     Sec. 5. NEW SECTION.   **124F.4 Psilocybin production**  
15 **establishment licensing board.**

16     1. a. There is created within the department the psilocybin  
17 production establishment licensing board. The board shall  
18 consist of the following members, appointed by the director of  
19 the department:

20       (1) One member of the public with knowledge of psilocybin.

21       (2) One member with knowledge and experience in the  
22 pharmaceutical or nutraceutical manufacturing industry.

23       (3) One member representing law enforcement.

24       (4) One member who is a chemist or researcher with  
25 experience in manufacturing and who is associated with a research  
26 university.

27       (5) One member who has a background in fungus or mushroom  
28 cultivation and processing.

29       (6) The director or the director's designee, who shall serve  
30 as the chairperson of the board and as a nonvoting member, except  
31 to cast a deciding vote in the event of a tie.

32     b. A person is ineligible for appointment to the board if any  
33 of the following apply:

34       (1) The person has any commercial or ownership interest in a  
35 psilocybin production establishment.

1     (2) The person is associated with a business that has  
2 an owner, officer, director, or employee whose family member  
3 holds a license or has an interest in a psilocybin production  
4 establishment.

5     (3) The person is employed or contracted to lobby on behalf  
6 of a psilocybin production establishment.

7     c. The director shall ensure that no two members of the  
8 board are employed by or represent the same business or nonprofit  
9 organization.

10    d. Members of the board shall serve a term of four years,  
11 except that initial members of the board shall be appointed for  
12 staggered terms such that the director appoints two or three  
13 board members every two years. The director shall fill a vacancy  
14 on the board for the balance of the unexpired term.

15    e. The director may remove a member of the board for cause,  
16 neglect of duty, inefficiency, or malfeasance.

17    f. Members of the board shall serve without compensation but  
18 may be reimbursed for actual expenses.

19    2. The board shall meet as called by the chairperson to do  
20 all of the following:

21    a. Review each license application for compliance with this  
22 chapter and rules adopted by the department.

23    b. Conduct a public hearing to consider a license  
24 application.

25    c. Make a determination on a license application.

26    3. The board shall hold a public hearing to review  
27 a psilocybin production establishment's license if the  
28 establishment changes ownership interest by more than twenty  
29 percent, changes location, or as necessary based on the  
30 recommendation of the department.

31    4. The board shall meet annually in December to consider  
32 psilocybin production establishment license renewal applications.  
33 A representative from each applicant for renewal shall attend  
34 the meeting. The board shall consider the amount of biomass  
35 the applicant produces, the amount of biomass the applicant

1 projects to produce, the current square footage of growing area  
2 the applicant uses, and the square footage of growing area the  
3 applicant projects to use.

4 5. The board is not subject to dissolution pursuant to  
5 section 4A.5.

6 Sec. 6. NEW SECTION. **124F.5 Psilocybin production**  
7 **establishment — license.**

8 1. A person shall not operate a psilocybin production  
9 establishment unless the person holds a psilocybin production  
10 establishment license issued by the licensing board pursuant to  
11 this chapter.

12 2. The department shall adopt rules pursuant to chapter 17A  
13 to develop a process for soliciting and evaluating applications  
14 for a psilocybin production establishment license.

15 3. An applicant for a psilocybin production establishment  
16 license shall submit all of the following:

17 a. The proposed name of the establishment and the address  
18 where the establishment will be located.

19 b. The name and address of any individual who has any of the  
20 following:

21 (1) For a publicly traded company, a financial or voting  
22 interest of two percent or greater in the proposed psilocybin  
23 production establishment.

24 (2) For a privately held company, a financial or voting  
25 interest in the proposed psilocybin production establishment.

26 (3) The power to direct the management or control of the  
27 proposed psilocybin production establishment.

28 c. An operating plan, approved by the department, that  
29 complies with section 124F.8 and any laws that the municipality  
30 or county in which the person is located adopts regarding the  
31 operation of psilocybin production establishments.

32 d. A statement that the applicant will obtain and maintain  
33 a performance bond that a surety authorized to transact surety  
34 business in this state issues in an amount of at least one  
35 hundred thousand dollars for each psilocybin cultivation facility



1 license, or at least fifty thousand dollars for each independent  
2 psilocybin testing laboratory license.

3 e. An application fee in an amount determined by the  
4 department.

5 f. A description of any investigatory or adverse action taken  
6 by a licensing jurisdiction, government agency, law enforcement  
7 agency, or court in any state for any violation or detrimental  
8 conduct in relation to any of the applicant's psilocybin-related  
9 operations or businesses.

10 4. A psilocybin production establishment shall not be located  
11 within one thousand feet of a community location or in or  
12 within five hundred feet of an area that is zoned as primarily  
13 residential. The board may grant a waiver to reduce the  
14 proximity requirements in this subsection by up to twenty percent  
15 if the board determines that it is not reasonably feasible  
16 for the applicant to site the proposed psilocybin production  
17 establishment without the waiver.

18 5. Upon the approval of an application for a license under  
19 this section, the applicant shall pay to the department the  
20 initial licensing fee, as determined by the department by rule,  
21 and the department shall inform the department of public safety  
22 of the license approval.

23 6. A psilocybin production establishment may be located at  
24 the same location as a medical cannabidiol manufacturer licensed  
25 pursuant to section 124E.6 if a separate license is obtained for  
26 each.

27 7. If the licensing board receives more than one application  
28 for a psilocybin production establishment within the same city or  
29 town, the licensing board shall consult with the local land use  
30 authority before approving any of the applications pertaining to  
31 that city or town.

32 8. The licensing board shall not issue a license to operate  
33 an independent psilocybin testing laboratory to any of the  
34 following persons:

35 a. A person who holds a license or has an ownership interest

1 to operate a psilocybin cultivation facility.

2     b. A person who has an owner, officer, director, or employee  
3 whose family member holds a license or has an ownership interest  
4 in a psilocybin cultivation facility.

5     c. A person who has an ownership interest in a psilocybin  
6 cultivation facility.

7     9. The licensing board shall not issue a license to operate  
8 a psilocybin production establishment to an applicant if an  
9 individual described in subsection 3, paragraph "b", has been  
10 convicted of a misdemeanor for drug distribution, or convicted of  
11 a felony, or is younger than twenty-one years old.

12     10. The licensing board may, at the discretion of the  
13 licensing board, grant preference to an applicant who currently  
14 holds a medical cannabidiol manufacturer license issued pursuant  
15 to section 124E.6.

16     11. The licensing board may revoke a license issued pursuant  
17 to this section if any of the following apply:

18     a. The psilocybin production establishment does not begin  
19 operations within one year after the date on which the licensing  
20 board issues the initial license.

21     b. An individual psilocybin production establishment operated  
22 by the licensee has violated the same provision of this chapter  
23 three times.

24     c. An individual described in subsection 3, paragraph "b", is  
25 convicted of a misdemeanor for drug distribution, or is convicted  
26 of a felony.

27     d. The licensee fails to cooperate with an investigation  
28 of the psilocybin production establishment conducted by the  
29 licensing board.

30     e. The psilocybin production establishment demonstrates a  
31 willful or reckless disregard for the requirements of this  
32 chapter or the rules of the department.

33     f. The licensing board determines that the psilocybin  
34 production establishment no longer meets the minimum standards  
35 for licensure and operation of the psilocybin production

1 establishment.

2 g. For an independent psilocybin testing laboratory, the  
3 independent psilocybin testing laboratory fails to substantially  
4 meet the performance standards adopted by the department by rule.

5 12. If the municipality or county where the licensed  
6 psilocybin production establishment will be located requires a  
7 local land use permit, a person who is issued a psilocybin  
8 production establishment license under this chapter shall submit  
9 to the licensing board a copy of the licensee's approved land use  
10 permit within one hundred twenty days after the date on which the  
11 licensing board issues the license.

12 13. The department shall deposit fees imposed under this  
13 section into the general fund of the state.

14 14. The department shall begin accepting applications under  
15 this chapter on July 1, 2026.

16 15. The licensing board's authority to issue a license under  
17 this section shall be plenary and not subject to review.

18 16. The licensing board shall not issue more than four  
19 licenses to operate an independent psilocybin testing laboratory.

20 17. The department may operate or partner with a research  
21 university to operate an independent psilocybin testing  
22 laboratory.

23 18. A psilocybin production establishment license shall not  
24 be transferable or assignable.

25 19. If ownership of a psilocybin production establishment  
26 changes by fifty percent or more, the psilocybin production  
27 establishment shall submit a new application pursuant to this  
28 section.

29 Sec. 7. NEW SECTION. **124F.6 Psilocybin production**  
30 **establishment owners and directors — criminal background**  
31 **checks.**

32 1. The division of criminal investigation of the department  
33 of public safety shall conduct a thorough investigation of each  
34 applicant for a psilocybin production establishment license as in  
35 a substantially similar manner as provided in section 124E.19.

1 The division shall report the results of the investigation to the  
2 department.

3 2. The department shall collect a fee from the applicant,  
4 determined by the department by rule, to cover the costs of the  
5 investigation by the division of criminal investigation of the  
6 department of public safety. The department shall remit the fee  
7 to the division.

8 Sec. 8. NEW SECTION. **124F.7 License renewal.**

9 The licensing board shall renew a license issued pursuant to  
10 section 124F.5 on an annual basis if all of the following apply:

11 1. The licensee meets all of the requirements for initial  
12 licensure.

13 2. The licensing board does not identify a significant  
14 failure of compliance with this chapter or grounds for  
15 revocation.

16 3. The licensee pays a renewal fee as determined by the  
17 department by rule.

18 Sec. 9. NEW SECTION. **124F.8 Operating plan.**

19 A person applying for a psilocybin production establishment  
20 license or license renewal shall submit to the department for the  
21 department's review a proposed operating plan that includes all  
22 of the following:

23 1. A description of the physical characteristics of the  
24 proposed facility or, for a psilocybin cultivation facility, no  
25 more than two facility locations, including a floor plan and an  
26 architectural elevation.

27 2. A description of the credentials and experience of  
28 each officer, director, and owner of the proposed psilocybin  
29 production establishment, and of any highly skilled or  
30 experienced prospective employee.

31 3. The psilocybin production establishment's employee  
32 training standards.

33 4. A security plan.

34 5. A description of the psilocybin production establishment's  
35 inventory control system.

1     6. Storage protocols to ensure that psilocybin is stored in  
2 a manner that is sanitary and preserves the integrity of the  
3 psilocybin.

4     7. For a psilocybin cultivation facility:

5     a. Psilocybin cultivation practices, including the facility's  
6 intended pesticide and fertilizer use.

7     b. Square footage under cultivation and anticipated  
8 psilocybin yield.

9     8. For an independent psilocybin testing laboratory:

10    a. Psilocybin and psilocybin product testing capacity.

11    b. Psilocybin and psilocybin product testing equipment.

12    c. Testing methods, standards, practices, and procedures for  
13 testing psilocybin or psilocybin product.

14    Sec. 10. NEW SECTION.   **124F.9 Psilocybin cultivation**  
15 **facilities — number of licenses.**

16    The licensing board shall not issue more than two licenses to  
17 operate a psilocybin cultivation facility. If the recipient of  
18 a license ceases operations for any reason, or otherwise abandons  
19 the license, the board may grant the abandoned license to another  
20 applicant.

21    Sec. 11. NEW SECTION.   **124F.10 Psilocybin production**  
22 **establishment agent — registration.**

23    1. An individual shall not act as a psilocybin production  
24 establishment agent unless the department registers the  
25 individual as a psilocybin production establishment agent,  
26 regardless of whether the individual is a seasonal, temporary, or  
27 permanent employee.

28    2. None of the following individuals shall serve as a  
29 psilocybin production establishment agent, have a financial or  
30 voting interest of two percent or greater in a psilocybin  
31 production establishment, or have the power to direct or  
32 cause the management or control of a psilocybin production  
33 establishment:

34    a. An advanced registered nurse practitioner licensed under  
35 chapter 152 or an advanced practice registered nurse under

1 chapter 152E.

2     b. An individual licensed under chapter 148 to practice  
3 medicine and surgery or osteopathic medicine and surgery.

4     c. A physician assistant licensed under chapter 148C.

5     3. An independent psilocybin testing laboratory agent may not  
6 act as a psilocybin cultivation facility agent.

7     4. The department shall, within fifteen business days  
8 from the date on which the department receives a complete  
9 application from a psilocybin production establishment on behalf  
10 of a prospective psilocybin production establishment agent,  
11 register and issue a psilocybin production establishment agent  
12 registration card to the prospective psilocybin production  
13 establishment agent who successfully passes a criminal background  
14 investigation as provided in section 124F.6 if the psilocybin  
15 production establishment does all of the following:

16     a. Provides to the department the prospective psilocybin  
17 production establishment agent's name and address.

18     b. Pays a fee to the department in an amount determined by  
19 the department by rule.

20     5. The department shall designate, on an individual's  
21 psilocybin production establishment agent registration card,  
22 the type of psilocybin production establishment for which the  
23 individual is authorized to act as an agent.

24     6. a. A psilocybin production establishment agent shall  
25 comply with either a certification standard developed by the  
26 department by rule, or a certification standard that the  
27 department has reviewed and approved.

28     b. A certification standard described in paragraph "a" shall  
29 include training in all of the following:

30         (1) Iowa medical psilocybin law.

31         (2) For a psilocybin cultivation facility agent, psilocybin  
32 cultivation best practices.

33         (3) For an independent psilocybin testing laboratory agent,  
34 psilocybin laboratory testing best practices.

35     7. A psilocybin production establishment agent registration

1 card shall expire two years from the date the department issued  
2 the card. A psilocybin production establishment agent may renew  
3 the agent's registration card if the agent is still eligible  
4 to hold a psilocybin production establishment agent registration  
5 card and pays a fee determined by the department by rule.

6 8. a. A psilocybin production establishment agent shall  
7 carry the individual's psilocybin production card with the agent  
8 at all times when the agent is on the premises of a psilocybin  
9 production establishment where the agent is registered, or when  
10 the agent is transporting psilocybin or psilocybin product.

11 b. If a psilocybin production establishment agent possesses  
12 psilocybin or psilocybin product and produces the registration  
13 card while handling or transporting psilocybin or psilocybin  
14 product, there is a rebuttable presumption that the agent  
15 possesses the psilocybin or psilocybin product legally and a law  
16 enforcement officer does not have probable cause, based solely on  
17 the agent's possession of the psilocybin or psilocybin product,  
18 to believe that the individual is engaging in illegal activity.

19 c. A psilocybin production establishment agent who fails to  
20 carry the individual's psilocybin production card as required by  
21 paragraph "a" is guilty of the following offenses:

22 (1) For a first offense, or second offense within a two-year  
23 period, a simple misdemeanor punishable by a fine of one hundred  
24 dollars.

25 (2) For a third or subsequent offense within a two-year  
26 period, a simple misdemeanor punishable as provided by law.

27 d. For each violation of paragraph "c", the department may  
28 assess the relevant psilocybin production establishment a fine of  
29 up to five thousand dollars.

30 Sec. 12. NEW SECTION. **124F.11 Psilocybin production**  
31 **establishment — general operation requirements.**

32 1. A psilocybin production establishment shall operate in  
33 accordance with the operating plan submitted by the psilocybin  
34 production establishment pursuant to section 124F.8. A  
35 psilocybin production establishment shall notify the department

1 prior to implementing a change to the establishment's operating  
2 plan. The department shall inform the establishment of any  
3 deficiencies in the new operating plan.

4 2. a. Except as provided in paragraph "b", a psilocybin  
5 production establishment shall operate in a facility that is  
6 accessible only by an individual with a valid psilocybin  
7 production establishment agent registration card.

8 b. A psilocybin production establishment may authorize an  
9 individual who is at least eighteen years of age and who  
10 is not a psilocybin production establishment agent to access  
11 the psilocybin production establishment if the psilocybin  
12 production establishment tracks and monitors the individual at  
13 all times while the individual is at the psilocybin production  
14 establishment, and maintains a record of the individual's access,  
15 including arrival and departure.

16 3. A psilocybin production establishment shall not employ an  
17 individual who is younger than twenty-one years of age or who  
18 has been convicted of a misdemeanor for drug distribution, or  
19 convicted of a felony.

20 4. A psilocybin production establishment shall operate in a  
21 facility that has all of the following:

22 a. A single, secure public entrance.

23 b. A security system with a backup power source that does all  
24 of the following:

25 (1) Detects and records entry into the psilocybin production  
26 establishment.

27 (2) Provides notice of an unauthorized entry to law  
28 enforcement when the psilocybin production establishment is  
29 closed.

30 (3) Secures any area where the psilocybin production  
31 establishment stores psilocybin or a psilocybin product.

32 **Sec. 13. NEW SECTION. 124F.12 Inspections.**

33 1. The department may inspect the records and facility of a  
34 psilocybin production establishment at any time during business  
35 hours to determine if the psilocybin production establishment



1 complies with this chapter.

2 2. An inspection under this section may include all of the  
3 following:

4 a. Inspection of a site, facility, vehicle, book, record,  
5 paper, document, data, and other physical or electronic  
6 information.

7 b. Questioning of any relevant individual.

8 c. Observation of an independent psilocybin testing  
9 laboratory's methods, standards, practices, and procedures.

10 d. The sampling of a specimen of psilocybin or psilocybin  
11 product sufficient for testing purposes.

12 e. Inspection of equipment, an instrument, a tool, or  
13 machinery, including a container or label.

14 3. In conducting an inspection under this section, the  
15 department may review and make copies of a book, record, paper,  
16 document, data, or other physical or electrical information,  
17 including financial data, sales data, shipping data, pricing  
18 data, and employee data.

19 4. The department may impose a fee, or a license or  
20 registration suspension or revocation, if a psilocybin production  
21 establishment fails to comply with this section.

22 Sec. 14. NEW SECTION. **124F.13 Advertising.**

23 1. A psilocybin production establishment shall not advertise  
24 to the general public in any medium, except that a psilocybin  
25 production establishment may advertise an employment opportunity  
26 at the psilocybin production establishment.

27 2. The department shall adopt rules pursuant to chapter 17A  
28 for standards relating to advertising by a qualified medical  
29 psilocybin provider or qualified therapy provider. The rules  
30 shall ensure that advertising by a qualified medical psilocybin  
31 provider or qualified therapy provider does not imply that the  
32 psilocybin may be used for recreational purposes.

33 Sec. 15. NEW SECTION. **124F.14 Psilocybin transportation.**

34 1. No individual other than the following may transport  
35 psilocybin or a psilocybin product:

- 1     a. A registered psilocybin production establishment agent.
- 2     b. A qualified therapy provider.
- 3     c. A registered qualified therapy provider agent.
- 4     d. An agent of the department conducting an inspection
- 5 pursuant to section 124F.12.

6     2. An individual transporting psilocybin or psilocybin  
7 product shall be employed by the individual authorizing the  
8 transportation and possess a manifest that includes all of the  
9 following:

- 10    a. A unique identifier that links the psilocybin or
- 11 psilocybin product to a relevant inventory control system.
- 12    b. The origin and destination information for any psilocybin
- 13 or psilocybin product that the person is transporting.
- 14    c. The departure and arrival times of the individual
- 15 transporting the psilocybin or psilocybin product.
- 16    3. A registered psilocybin production establishment agent
- 17 transporting psilocybin or psilocybin product without a manifest
- 18 as provided in subsection 2 is guilty of a simple misdemeanor
- 19 punishable by a fine of one hundred dollars. However, if the
- 20 registered psilocybin production establishment agent is carrying
- 21 more psilocybin or psilocybin product than is indicated on
- 22 the manifest, other than a de minimis amount, the registered
- 23 psilocybin production establishment agent is subject to penalties
- 24 as provided in chapter 124.
- 25    4. This section shall not prohibit the department from taking
- 26 administrative enforcement action against a psilocybin production
- 27 establishment or another person for failing to make a transport
- 28 in compliance with this section.

29    Sec. 16. NEW SECTION.   **124F.15 Psilocybin — excess and**  
30 **disposal.**

31    1. As used in this section, "psilocybin waste" means waste  
32 and unused material from the cultivation and production of  
33 psilocybin or psilocybin product under this chapter.

34    2. A psilocybin production establishment shall do all of the  
35 following:

1     a. Render psilocybin waste unusable and unrecognizable before  
2 transporting it from the psilocybin production establishment.

3     b. Dispose of the psilocybin waste in compliance with all  
4 applicable state and federal laws.

5     3. A person shall not transport or dispose of psilocybin  
6 waste other than as provided in this section.

7     Sec. 17. NEW SECTION.   **124F.16 Psilocybin production**  
8 **establishment — local control.**

9     1. A local government shall allow a psilocybin production  
10 establishment to operate in any zone designated for industrial  
11 use unless the local government has designated by ordinance  
12 at least one industrial zone for the operation of psilocybin  
13 production establishments before a person submits an application  
14 for the establishment of a psilocybin production establishment to  
15 the local government.

16    2. A local government shall allow a psilocybin production  
17 establishment to operate in any zone designated for agricultural  
18 use unless the local government has designated by ordinance  
19 at least one agricultural zone for the operation of psilocybin  
20 production establishments before a person submits an application  
21 for the establishment of a psilocybin production establishment to  
22 the local government.

23    3. A psilocybin production establishment may operate on land  
24 that a local government has not zoned.

25    4. A local government shall not do any of the following:

26     a. Revoke from, or refuse to issue a license or permit to,  
27 a psilocybin production establishment on the sole basis that the  
28 applicant or psilocybin production establishment violates federal  
29 law regarding the legal status of psilocybin.

30     b. Require a certain distance between a psilocybin production  
31 establishment and another psilocybin production establishment or  
32 a retail tobacco store as defined in section 142D.2.

33     c. Enforce an ordinance against a psilocybin production  
34 establishment that was not in effect on the date the psilocybin  
35 production establishment submitted a complete application to the

1 local government.

2     Sec. 18. NEW SECTION.   **124F.17 Psilocybin cultivation**  
3 **facility — growing and harvesting.**

4     1. A psilocybin cultivation facility shall use a unique  
5 identifier that is connected to the facility's inventory control  
6 system to identify all of the following:

7       a. Each unique harvest of psilocybin.

8       b. Each batch of psilocybin that the facility transfers to an  
9 independent psilocybin testing laboratory.

10      c. Any psilocybin waste, as defined in section 124F.15, of  
11 which the psilocybin cultivation facility disposes.

12     2. A psilocybin cultivation facility shall identify  
13 psilocybin biomass as psilocybin byproduct or psilocybin product  
14 before transferring the psilocybin biomass from the facility.

15     3. A psilocybin cultivation facility shall destroy psilocybin  
16 cultivation byproduct as provided in section 124F.15.

17     Sec. 19. NEW SECTION.   **124F.18 Psilocybin cultivation**  
18 **facility — sales.**

19     1. A psilocybin cultivation facility shall not sell a product  
20 other than a psilocybin product or educational material related  
21 to the medical use of psilocybin.

22     2. A psilocybin cultivation facility shall not sell a product  
23 to a person other than a qualified therapy provider or a  
24 registered agent of a qualified therapy provider.

25     Sec. 20. NEW SECTION.   **124F.19 Psilocybin cultivation**  
26 **facility — labeling.**

27     1. A psilocybin cultivation facility shall label a psilocybin  
28 or psilocybin product with the amount of active psilocybin in the  
29 psilocybin or psilocybin product.

30     2. The department may adopt rules pursuant to chapter 17A to  
31 establish labeling requirements for a psilocybin product.

32     Sec. 21. NEW SECTION.   **124F.20 Independent psilocybin**  
33 **testing laboratory — psilocybin and psilocybin product**  
34 **testing.**

35     1. The department shall adopt rules pursuant to chapter 17A

1 to do all of the following:

2     a. Identify the adulterant analyses required to be performed  
3 on psilocybin or psilocybin product.

4     b. Determine the level of each adulterant that is safe for  
5 human consumption.

6     c. Establish protocols for a recall of psilocybin or  
7 psilocybin product by a psilocybin production establishment.

8     2. The department may require an independent psilocybin  
9 testing laboratory to test for a toxin if the department receives  
10 information indicating the potential presence of a toxin, or  
11 the department's inspector has reason to believe a toxin may be  
12 present based on the inspection of a facility.

13     3. A psilocybin production establishment may not transfer  
14 psilocybin or psilocybin product to a qualified therapy provider  
15 until an independent psilocybin testing laboratory tests a  
16 representative sample of the psilocybin or psilocybin product as  
17 provided by the department by rule.

18     4. Before the sale of a psilocybin product, an independent  
19 psilocybin testing laboratory shall identify and quantify the  
20 amount of active psilocybin present in the psilocybin product.

21     5. The department shall adopt rules pursuant to chapter  
22 17A for standards, methods, practices, and procedures for the  
23 testing of psilocybin and psilocybin products by an independent  
24 psilocybin laboratory.

25     6. The department may require an independent psilocybin  
26 testing laboratory to participate in a proficiency evaluation  
27 that the department conducts, or that an organization that the  
28 department approves conducts.

29     Sec. 22. NEW SECTION.   **124F.21 Independent psilocybin**  
30 **testing laboratory — inspections.**

31     1. If an independent psilocybin testing laboratory determines  
32 that the results of a laboratory test indicate that a psilocybin  
33 or psilocybin product batch may be unsafe for human use:

34     a. The independent psilocybin testing laboratory shall report  
35 the laboratory test results and the psilocybin or psilocybin

1 product batch to the department and the psilocybin cultivation  
2 facility from which the batch originated.

3     b. The department shall place a hold on the psilocybin or  
4 psilocybin products to conduct a root cause analysis of the  
5 defective batch and make a determination as to the root cause.  
6 The psilocybin cultivation facility that grew the psilocybin may  
7 appeal the determination of the department.

8     2. If the department determines that psilocybin or psilocybin  
9 product prepared by a psilocybin cultivation establishment is  
10 unsafe for human consumption, the department may seize, embargo,  
11 or destroy the psilocybin or psilocybin product batch as provided  
12 in section 124F.15.

13     3. If an independent psilocybin testing laboratory determines  
14 that the results of a lab test indicate that the active  
15 psilocybin content of psilocybin or a psilocybin product batch  
16 diverges more than ten percent from the amount the label  
17 indicates, the psilocybin cultivation facility shall not sell  
18 the psilocybin or psilocybin product batch unless the facility  
19 replaces the incorrect label with a label that correctly  
20 indicates the active psilocybin content.

21     Sec. 23. NEW SECTION.     **124F.22 Psilocybin electronic**  
22 **verification system.**

23     1. The department, in consultation with the department of  
24 agriculture and land stewardship and the department of public  
25 safety, shall adopt rules pursuant to chapter 17A for the  
26 creation and operation of an electronic verification system that,  
27 at minimum, does all of the following:

28     a. Allows a qualified medical psilocybin provider to access  
29 dispensing information regarding a patient of the qualified  
30 medical psilocybin provider, electronically recommend or renew  
31 a recommendation for psilocybin or a psilocybin product,  
32 connect with an inventory control system that a psilocybin  
33 production establishment uses to track in real time and archive  
34 purchases of any psilocybin or psilocybin product, and connect  
35 with an inventory control system that a psilocybin production

1 establishment utilizes.

2     b. Allows access by all of the following:

3       (1) The department to the extent necessary to carry out the  
4 department's functions and responsibilities.

5       (2) The department of inspections, appeals, and licensing  
6 to carry out the functions and responsibilities related to  
7 the participation of qualified medical psilocybin providers  
8 and qualified therapy providers in the recommendation and  
9 administration of psilocybin.

10     c. Creates a record each time a person accesses the system  
11 that identifies the person who accessed the system and the  
12 individual whose records the person accessed.

13     d. Keeps a current record of the total number of individuals  
14 who have a psilocybin recommendation issued pursuant to section  
15 124F.23.

16     2. The department may release limited data from the  
17 electronic verification system for the purposes of conducting  
18 research, issuing required reports, or for other official  
19 department purposes.

20     3.   a. A person who knowingly and intentionally releases any  
21 information from the state electronic verification system in  
22 violation of this section is guilty of a class "D" felony.

23       b. A person who negligently or recklessly releases any  
24 information from the state electronic verification system in  
25 violation of this section is guilty of a serious misdemeanor.

26     4.   a. A person who obtains or attempts to obtain  
27 information from the state electronic verification system by  
28 misrepresentation or fraud is guilty of a class "D" felony.

29       b. A person who obtains or attempts to obtain information  
30 from the state electronic verification system for a purpose other  
31 than a purpose authorized in this chapter is guilty of a class  
32 "D" felony.

33     5.   a. Except as provided in paragraph "b", a person  
34 who knowingly and intentionally uses, releases, publishes, or  
35 otherwise makes available to any other person information

1 obtained from the state electronic verification system for any  
2 purpose other than a purpose specified in this section is guilty  
3 of a class "D" felony.

4     b. This subsection shall not prohibit a person who rightfully  
5 obtains information from the state electronic verification system  
6 from including the information in the person's medical chart  
7 or file for access by a person authorized to review the  
8 medical chart or file, providing the information to a person in  
9 accordance with the requirements of the federal Health Insurance  
10 Portability and Accountability Act of 1996, Pub. L. No. 104-191,  
11 or discussing or sharing that information about the patient with  
12 the patient.

13     Sec. 24. NEW SECTION.   **124F.23 Psilocybin recommendation —**  
14 **limitations — expiration.**

15     1. No more than five thousand individuals shall  
16 simultaneously hold a psilocybin recommendation from a qualified  
17 medical psilocybin provider.

18     2. An individual's psilocybin recommendation expires if the  
19 individual has not received treatment from a qualified therapy  
20 provider with psilocybin or a psilocybin product by the later  
21 of one year from the date the qualified medical psilocybin  
22 provider provided the recommendation, or one year from the date  
23 of the individual's most recent administration of psilocybin or a  
24 psilocybin product by a qualified therapy provider.

25     Sec. 25. NEW SECTION.   **124F.24 Qualified medical psilocybin**  
26 **provider registration — continuing education — treatment**  
27 **recommendation.**

28     1. An individual shall not recommend a medical psilocybin  
29 treatment unless the department registers the individual as a  
30 qualified medical psilocybin provider under this section.

31     2. The department shall, within fifteen days after the date  
32 the department receives an application from an individual,  
33 register and issue a qualified medical psilocybin provider  
34 registration card to the individual if the individual does all  
35 of the following:



1     a. Provides to the department the individual's name and  
2 address.

3     b. Provides to the department a report detailing the  
4 individual's completion of the applicable continuing education  
5 requirements described in subsection 3.

6     c. Provides to the department evidence that the individual  
7 holds a license that qualifies the individual as a qualified  
8 medical psilocybin provider.

9     d. Pays an application fee as determined by the department by  
10 rule.

11    e. For an applicant on or after January 1, 2026, provides the  
12 information required by subsection 9.

13    3. a. An individual applying for initial registration or  
14 renewal of a registration shall complete a continuing education  
15 program as determined by the department by rule. The continuing  
16 education program shall be offered by the department or a  
17 continuing education provider approved by the department. The  
18 continuing education program shall address all of the following:

19       (1) This chapter.

20       (2) General information about psilocybin under federal and  
21 state law.

22       (3) The latest scientific research on medical psilocybin,  
23 including risks and benefits.

24       (4) Best practices for recommending the form and dosage of  
25 psilocybin.

26       (5) Systems and receptors affected by psilocybin.

27       (6) Mechanisms of action.

28       (7) Drug interactions.

29       (8) Diagnostic criteria.

30       (9) Contraindications.

31       (10) Side effects and mitigation of side effects.

32       (11) Administrative set and setting, including physical  
33 patient safety.

34       (12) Integration.

35       (13) Potential outcomes.

1 (14) Ethical considerations.

2 (15) Discharge safety planning.

3 b. An applicant for initial registration shall complete  
4 sixteen hours of continuing education. A qualified medical  
5 psilocybin provider shall complete four hours of continuing  
6 education every two years.

7 4. A qualified medical psilocybin provider shall not  
8 recommend psilocybin to a patient, or renew a recommendation for  
9 psilocybin, unless the qualified medical psilocybin provider has  
10 done all of the following:

11 a. Completed and documented in the patient's medical record  
12 a thorough assessment of the patient's condition and medical  
13 history based on the appropriate standard of care.

14 b. Verified that the patient has post-traumatic stress  
15 disorder.

16 c. Verified that the patient is at least twenty-one years  
17 old.

18 d. Met with the patient face to face if the qualified medical  
19 psilocybin provider has not recommended a psilocybin treatment to  
20 the patient in the past.

21 5. a. Except as provided in paragraph "b", an individual  
22 shall not advertise that the individual recommends medical  
23 psilocybin treatment.

24 b. A qualified medical psilocybin provider, or a clinic or  
25 office that employs a qualified medical psilocybin provider, may  
26 advertise the following:

27 (1) The provider's or clinic's name and logo.

28 (2) That the individual treats post-traumatic stress  
29 disorder.

30 (3) That the individual is registered as a qualified medical  
31 psilocybin provider and recommends medical psilocybin.

32 (4) A scientific study regarding medical psilocybin use.

33 6. a. A qualified medical psilocybin provider registration  
34 card shall expire two years from the date the department issued  
35 the card.

1     b. The department shall adopt rules pursuant to chapter 17A  
2 for the renewal of a medical psilocybin provider registration  
3 card.

4     7. The department may revoke a medical psilocybin provider  
5 registration card if a qualified medical psilocybin provider  
6 fails to maintain compliance with this section.

7     8. A qualified medical psilocybin provider shall not receive  
8 any compensation or benefit for the qualified medical psilocybin  
9 provider's medical psilocybin treatment recommendation from  
10 a psilocybin production establishment or an owner, officer,  
11 director, board member, employee, or agent of a psilocybin  
12 production establishment.

13    9. On or before January 1 of each year, a qualified medical  
14 provider shall report to the department all of the following:

15     a. That the qualified medical psilocybin provider, or  
16 the entity that employs the qualified medical psilocybin  
17 provider, represents online or in printed material that the  
18 qualified medical psilocybin provider is a qualified medical  
19 psilocybin provider or offers medical psilocybin recommendations  
20 to patients, if applicable.

21     b. The fee amount that the qualified medical psilocybin  
22 provider, or the entity that employs the qualified medical  
23 psilocybin provider, charges a patient for a medical psilocybin  
24 recommendation, either as an actual cash rate or, if the  
25 psilocybin provider or entity bills insurance, an average cash  
26 rate.

27    Sec. 26. NEW SECTION.   **124F.25 Standard of care — provider**  
28 **not liable — no private right of action.**

29     1. A qualified medical psilocybin provider or a qualified  
30 therapy provider who recommends or administers psilocybin in  
31 compliance with this chapter shall not be subject to a civil  
32 or criminal penalty, or license discipline, solely for violating  
33 a federal law or regulation that prohibits recommending,  
34 prescribing, possessing, or dispensing psilocybin or a psilocybin  
35 product.

1     2. This chapter shall not be construed to reduce or negate  
2 the duty of a qualified medical psilocybin provider or qualified  
3 therapy provider to use reasonable and ordinary care in the  
4 treatment of a patient.

5     Sec. 27. NEW SECTION.   **124F.26 Nondiscrimination for medical**  
6 **care or government employment.**

7     1. For purposes of medical care, including an organ or  
8 tissue transplant, a patient's use of psilocybin as provided  
9 in this chapter is the equivalent of authorized use of any  
10 other medication used at the discretion of a physician, and  
11 does not constitute the use of an illicit substance or otherwise  
12 disqualify an individual from needed medical care.

13    2. a. Except as provided in paragraph "b", the state or a  
14 political subdivision of the state shall treat an employee's use  
15 of medical psilocybin as provided in this chapter in the same way  
16 the state or political subdivision treats an employee's use of  
17 any prescribed controlled substance, and an employee's medical  
18 psilocybin recommendation from a qualified medical psilocybin  
19 provider in the same way the state or political subdivision  
20 treats an employee's prescription for any prescribed controlled  
21 substance.

22    b. A state or political subdivision employee who has a valid  
23 medical psilocybin registration shall not be subject to adverse  
24 action for failing a drug test due to psilocybin or psilocin  
25 without evidence that the employee was impaired or otherwise  
26 adversely affected in the employee's job performance due to the  
27 use of medical psilocybin. This paragraph shall not apply in any  
28 of the following circumstances:

29    (1) The employee's use of psilocybin jeopardizes federal  
30 funding, a federal security clearance, or any other federal  
31 background determination required for the employee's position.

32    (2) The employee's position is dependent on a license  
33 or peace officer certification that is subject to federal  
34 regulations, including 18 U.S.C. §922(g)(3).

35    (3) An employee who uses medical psilocybin during the twelve

1 hours immediately preceding the employee's shift or during the  
2 employee's shift.

3     Sec. 28. NEW SECTION.   **124F.27 Insurance — coverage**  
4 **requirement.**

5     This chapter shall not be construed to require an insurer, a  
6 third-party administrator, or an employer to pay for or reimburse  
7 an employee for psilocybin or psilocybin product.

8     Sec. 29. NEW SECTION.   **124F.28 Approved drugs.**

9     This chapter shall not be construed to restrict or otherwise  
10 affect the prescription, distribution, or dispensing of a product  
11 that the United States food and drug administration has approved.

12     Sec. 30. NEW SECTION.   **124F.29 Qualified therapy provider**  
13 **registration — continuing education — psilocybin**  
14 **administration.**

15     1. An individual shall not administer a medical psilocybin  
16 treatment unless the department registers the individual as  
17 a qualified medical psilocybin therapist as provided in this  
18 section.

19     2. The department shall, within fifteen days after the date  
20 the department receives an application from an individual,  
21 register and issue a qualified medical psilocybin therapist  
22 registration card to the individual if the individual does all  
23 of the following:

24     a. Provides to the department the individual's name and  
25 address.

26     b. Provides to the department the address of the clinic  
27 at which the individual will be administering psilocybin to  
28 patients.

29     c. Provides to the department a report detailing the  
30 individual's completion of the applicable continuing education  
31 requirements described in subsection 3.

32     d. Certifies to the department that the individual has  
33 installed and maintains an inventory control system.

34     e. Provides to the department evidence that the individual  
35 holds a license that qualifies the individual as a qualified

1 medical psilocybin provider.

2     *f.* Pays an application fee as determined by the department by  
3 rule.

4     *g.* Provides to the department an emergency transport plan for  
5 patients who experience a medical emergency during the course of  
6 treatment.

7     3.   *a.* An individual applying for initial registration or  
8 renewal of a registration shall complete a continuing education  
9 program as determined by the department by rule. The continuing  
10 education program shall be offered by the department or a  
11 continuing education provider approved by the department. The  
12 continuing education program shall address all of the following:

13       (1) This chapter.

14       (2) General information about psilocybin under federal and  
15 state law.

16       (3) The latest scientific research on medical psilocybin,  
17 including risks and benefits.

18       (4) Best practices for recommending the form and dosage of  
19 psilocybin.

20       (5) Systems and receptors affected by psilocybin.

21       (6) Mechanisms of action.

22       (7) Drug interactions.

23       (8) Diagnostic criteria.

24       (9) Contraindications.

25       (10) Side effects and mitigation of side effects.

26       (11) Administrative set and setting, including physical  
27 patient safety.

28       (12) Integration.

29       (13) Potential outcomes.

30       (14) Ethical considerations.

31       (15) Discharge safety planning.

32     *b.* An applicant for initial registration shall complete  
33 eighty hours of continuing education. A qualified therapy  
34 provider shall complete four hours of continuing education every  
35 two years.

1     4. A qualified therapy provider shall only administer  
2 psilocybin to a patient when all of the following requirements  
3 are met:

4     a. The patient has a recommendation issued by a qualified  
5 medical psilocybin provider.

6     b. The qualified medical therapy provider has obtained and  
7 reviewed the patient's mental health history.

8     c. The qualified therapy provider has provided the patient  
9 with a safety data sheet created by the department which outlines  
10 the potential risks of psilocybin use.

11    d. There are unexpired rescue medications on site, as  
12 determined by the department by rule.

13    e. The administration session is video-recorded and the video  
14 recording is preserved for one year from the date of the session,  
15 or the patient gives written, informed consent waiving the  
16 video-recording requirement.

17    f. The qualified therapy provider has a contractual  
18 relationship with a licensed physician and surgeon or osteopathic  
19 physician and surgeon who remains on call during the course  
20 of the administration session in case the patient requires  
21 nonemergency medical intervention.

22    5. A qualified therapy provider shall only administer  
23 psilocybin or a psilocybin product in a qualified therapy  
24 provider location.

25    6. a. Except as provided in paragraph "b", an individual  
26 shall not advertise that the individual administers medical  
27 psilocybin treatment.

28    b. A qualified therapy provider or clinic or office that  
29 employs a qualified therapy provider may advertise the following:

30       (1) The provider's or clinic's name and logo.

31       (2) That the individual treats post-traumatic stress  
32 disorder.

33       (3) That the individual is registered as a qualified therapy  
34 provider and administers medical psilocybin.

35       (4) A scientific study regarding medical psilocybin use.

1     7.   a.   A qualified therapy provider registration card expires  
2 two years from the date the department issues the card.

3     b.   The department shall adopt rules pursuant to chapter 17A  
4 for the renewal of a qualified therapy provider registration  
5 card.

6     8.   Within seven days of the date on which an adverse  
7 event occurs, a qualified therapy provider shall submit to the  
8 department a report containing all of the following:

9     a.   The age and sex of the patient.

10    b.   The patient's preexisting health conditions, if any.

11    c.   The amount of psilocybin administered to the patient.

12    d.   Factors which contributed to the adverse event.

13    e.   The nature and severity of the adverse event.

14    f.   The ultimate outcome of the adverse event.

15    9.   The department may revoke a qualified therapy provider  
16 registration card if a qualified therapy provider fails to  
17 maintain compliance with this section.

18    Sec. 31.   NEW SECTION.   **124F.30   Qualified therapy provider**  
19 **agent — registration.**

20    1.   An individual shall not act as a qualified therapy  
21 provider agent unless the department registers the individual as  
22 a qualified therapy provider agent, regardless of whether the  
23 individual is a seasonal, temporary, or permanent employee.

24    2.   The department shall, within fifteen business days after  
25 the date the department receives a complete application from a  
26 qualified therapy provider agent, register and issue a qualified  
27 therapy provider agent registration card to the prospective agent  
28 who successfully passes a criminal background investigation as  
29 provided in section 124F.6 if the prospective agent does all of  
30 the following:

31    a.   Provides to the department the prospective agent's name  
32 and address.

33    b.   Pays a fee to the department in an amount determined by  
34 the department by rule.

35    3.   a.   A qualified therapy provider agent shall comply with



1 either a certification standard developed by the department  
2 by rule, or a certification standard that the department has  
3 reviewed and approved.

4     b. A certification standard described in paragraph "a" shall  
5 include training in Iowa medical psilocybin law.

6     4. A qualified therapy provider agent registration card  
7 shall expire two years from the date the department issued the  
8 card. A qualified therapy provider agent may renew the agent's  
9 registration card if the agent is still eligible to hold a  
10 qualified therapy provider agent registration card and pays a fee  
11 determined by the department by rule.

12     5. a. A qualified therapy provider agent shall carry the  
13 individual's qualified therapy provider agent card with the agent  
14 at all times when the agent is handling psilocybin or psilocybin  
15 product.

16     b. If a qualified therapy provider agent possesses psilocybin  
17 or psilocybin product and produces the registration card in the  
18 agent's possession, there is a rebuttable presumption that the  
19 agent possesses the psilocybin or psilocybin product legally and  
20 a law enforcement officer does not have probable cause, based  
21 solely on the agent's possession of the psilocybin or psilocybin  
22 product, to believe that the individual is engaging in illegal  
23 activity.

24     c. A qualified therapy provider agent who fails to carry the  
25 individual's qualified therapy provider agent card with the agent  
26 as required by paragraph "a" is guilty of the following offenses:

27     (1) For a first offense, or a second offense within a  
28 two-year period, a simple misdemeanor punishable by a fine of one  
29 hundred dollars.

30     (2) For a third offense, or a subsequent offense within a  
31 two-year period, a simple misdemeanor.

32     d. For each violation of paragraph "c", the department may  
33 assess the relevant qualified therapy provider a fine of up to  
34 two thousand five hundred dollars.

35     Sec. 32. NEW SECTION.   **124F.31 Reports.**

1     1.   a.   On or before November 1, 2025, and by November 1 of  
2 each year thereafter, the department shall submit a report to the  
3 general assembly including all of the following:

4       (1)   The number of patients for whom psilocybin has been  
5 recommended.

6       (2)   The age and county of patients.

7       (3)   The number of qualified medical psilocybin providers.

8       (4)   The number of license applications and renewal  
9 applications received.

10      (5)   The number of licenses the department has issued in each  
11 county.

12      (6)   The number of licenses the department has revoked.

13      (7)   The expenses incurred and revenues generated from the  
14 medical psilocybin program.

15      (8)   The number and nature of adverse events reported.

16     b.   The department shall not include personally identifying  
17 information in the report submitted pursuant to paragraph "a".

18     2.   The department shall submit a report to the general  
19 assembly regarding the efficacy of medical psilocybin, including  
20 recommendations, by June 1, 2028.

21     Sec. 33.   NEW SECTION.   **124F.32   Enforcement.**

22     1.   If a person that is licensed or registered under this  
23 chapter violates a provision of this chapter or rules adopted by  
24 the department pursuant to this chapter, or fails to comply with  
25 an enforcement action taken under this chapter, the department  
26 may do any of the following, subject to the requirements of this  
27 section:

28       a.   Revoke the person's license or registration card.

29       b.   Decline to renew the person's license or registration  
30 card.

31       c.   Assess an administrative fee, as determined by the  
32 department by rule.

33     2.   If the department finds that a person produced a  
34 psilocybin or psilocybin product batch that contains a substance,  
35 other than active psilocybin, that poses a significant threat to

1 human health the department shall do all of the following:

2     a. Issue the person a written administrative citation.

3     b. Attempt to negotiate a stipulated settlement.

4     c. Seize, embargo, or destroy the psilocybin or psilocybin  
5 product batch.

6     d. Order the person to cease and desist from the action that  
7 creates a violation.

8     3. The department may, for a person subject to an uncontested  
9 citation, a stipulated settlement, or a finding of a violation  
10 in an adjudicative proceeding under this section, if a fine is  
11 not already specified by law, assess a person who is not an  
12 individual a fine of up to five thousand dollars per violation.

13     4. The department shall not revoke a license or registration  
14 issued under this chapter without first conducting a contested  
15 case proceeding pursuant to chapter 17A.

16     5. Except where a criminal penalty is expressly provided for  
17 a specific violation of this chapter, the following criminal  
18 penalties apply:

19     a. Except as provided in paragraph "b", an individual who  
20 violates a provision of this chapter is guilty of a simple  
21 misdemeanor punishable by a fine of one hundred dollars.

22     b. An individual who intentionally or knowingly violates a  
23 provision of this chapter, or violates a provision of this  
24 chapter three or more times, is guilty of a serious misdemeanor  
25 punishable by a fine of one thousand dollars.

26                                   EXPLANATION

27                   The inclusion of this explanation does not constitute agreement with  
28                   the explanation's substance by the members of the general assembly.

29     This bill relates to the production of psilocybin and  
30 administration of psilocybin to persons with post-traumatic  
31 stress disorder. The bill requires a psilocybin production  
32 establishment or a qualified therapy provider location, defined  
33 in the bill, to include an inventory control system that tracks  
34 psilocybin product, defined in the bill, in real time; maintains  
35 access records; and includes a video recording system. The

1 bill requires a psilocybin production establishment or qualified  
2 therapy provider location to allow the department of health  
3 and human services (department) to access the inventory control  
4 system at any time.

5 The bill requires a state employer or political subdivision  
6 employer to inform an employee or prospective employee prior to  
7 assigning a duty related to the administration of the bill that  
8 the employee's or prospective employee's job duties may require  
9 the employee or prospective employee to engage in conduct in  
10 violation of the criminal laws of the United States.

11 The bill creates within the department the psilocybin  
12 production establishment licensing board (board), with members  
13 appointed by the director of the department. The board shall  
14 consist of a member of the public with knowledge of psilocybin,  
15 a member with knowledge and experience in the pharmaceutical  
16 or nutraceutical manufacturing industry, a member representing  
17 law enforcement, a member who is a chemist or researcher with  
18 experience in manufacturing and who is associated with a research  
19 university, a member who has a background in fungus or mushroom  
20 cultivation and processing, and the director of the department  
21 or the director's designee, who shall serve as the chairperson  
22 of the board and a nonvoting member, except in the case of a  
23 tied vote. The bill prohibits a person from serving on the  
24 board if the person has certain financial interests related  
25 to psilocybin. Members of the board shall serve a term of  
26 four years, except that initial members of the board shall be  
27 appointed for staggered terms such that the director appoints  
28 two or three board members every two years. The director shall  
29 fill vacancies in the board for the balance of the unexpired  
30 term. Members of the board shall serve without compensation,  
31 although they may be reimbursed for actual expenses, and the  
32 director may remove a member of the board for cause, neglect of  
33 duty, inefficiency, or malfeasance. The board is not subject to  
34 automatic dissolution pursuant to Code section 4A.5 (boards and  
35 governmental entities — dissolution).

1 The board shall meet as called by the chairperson to review  
2 psilocybin license applications, conduct public hearings on  
3 applications, and make determinations on license applications.  
4 The bill requires the board to meet if a psilocybin production  
5 establishment undergoes certain changes and annually to consider  
6 license renewal applications. The bill prohibits a person  
7 from operating a psilocybin production establishment unless  
8 the person holds a license issued by the board. The bill  
9 requires the department to adopt rules for solicitation and  
10 evaluation of license applications. The bill also requires  
11 an applicant for a license to submit the proposed name and  
12 address of the establishment, the names and addresses of certain  
13 persons associated with the establishment, an operating plan,  
14 a statement that the applicant will obtain a performance bond,  
15 an application fee, and a description of any investigatory  
16 or adverse action previously taken against the applicant in  
17 relation to any of the applicant's psilocybin-related operations  
18 or businesses. The bill prohibits a psilocybin production  
19 establishment from operating within 1,000 feet of a community  
20 location, defined in the bill, or 500 feet of an area that is  
21 zoned as primarily residential. The bill allows the board to  
22 waive these limitations by up to 20 percent.

23 Upon approval of an application for a license, the bill  
24 requires the applicant to pay an initial licensing fee and the  
25 department to inform the department of public safety. The bill  
26 allows a psilocybin production establishment to be located at the  
27 same location as a medical cannabidiol producer and the board may  
28 grant preference to an applicant who currently holds a medical  
29 cannabidiol producer license. If the board receives more than  
30 one application for a psilocybin production establishment license  
31 in the same city or town, the board shall consult with the  
32 local land use authority prior to issuing a license. The bill  
33 prohibits the board from issuing a license to certain persons.  
34 The bill allows the board to revoke a license for certain  
35 violations. Fees collected by the department shall be deposited

1 into the general fund of the state.

2 If the municipality or county where the psilocybin production  
3 establishment will be located requires a land use permit, the  
4 bill requires a licensee to submit a copy of an approved land  
5 use permit within 120 days of issuance of the license. The  
6 bill prohibits the board from issuing more than four licenses  
7 to operate an independent psilocybin testing laboratory and  
8 allows the board to operate an independent psilocybin testing  
9 laboratory. A psilocybin production establishment is not  
10 transferable or assignable, and the board's authority to issue  
11 a license is plenary and not subject to review. The bill  
12 requires the division of criminal investigation of the department  
13 of public safety to conduct a thorough investigation of each  
14 applicant for a psilocybin production establishment license. The  
15 bill requires the board to begin accepting license applications  
16 on July 1, 2026. The board shall renew a license if the licensee  
17 continues to meet the requirements for initial licensure, the  
18 board does not identify a significant failure of compliance or  
19 grounds for revocation, and the licensee pays a renewal fee.

20 The bill requires a person applying for a psilocybin  
21 production establishment license or license renewal to submit  
22 a proposed operating plan, including certain information about  
23 the facility, the facility's officers and employees, a security  
24 plan, a description of the inventory control system, and storage  
25 protocols. The bill requires psilocybin cultivation facilities  
26 and psilocybin testing laboratories to submit additional  
27 information particular to the type of psilocybin production  
28 establishment.

29 The bill prohibits a person from acting as a psilocybin  
30 production establishment or qualified therapy provider agent  
31 unless the person is registered as a psilocybin production  
32 establishment agent with the board. The bill prohibits certain  
33 persons from acting as a psilocybin production establishment  
34 agent. The bill requires the board to issue a psilocybin  
35 production establishment agent registration to a person if the

1 psilocybin production establishment that will employ the agent  
2 submits an application and pays a fee on behalf of the person.  
3 The prospective agent shall also undergo a criminal background  
4 investigation. A psilocybin production establishment agent shall  
5 comply with a certification standard adopted by the board.  
6 A psilocybin production establishment agent registration is  
7 valid for two years and may be renewed. The bill requires a  
8 psilocybin production establishment agent to carry the agent's  
9 registration card at all times while on the premises of  
10 the psilocybin production establishment or when transporting  
11 psilocybin. There is a rebuttable presumption a person carrying  
12 a psilocybin production establishment agent registration card  
13 while in possession of psilocybin possesses the psilocybin  
14 legally. A psilocybin production establishment agent who fails  
15 to carry a psilocybin production establishment agent registration  
16 card while required to do so is guilty of a simple misdemeanor  
17 punishable by a fine of \$100 for a first or second offense in a  
18 two-year period and a simple misdemeanor punishable as provided  
19 by law for a third or subsequent offense in a two-year period. A  
20 simple misdemeanor is punishable by confinement for no more than  
21 30 days and a fine of at least \$105 but not more than \$855.  
22 The board may fine a psilocybin production establishment or  
23 qualified therapy provider that employs a psilocybin production  
24 establishment agent a fine for each violation.  
25 The bill requires a psilocybin production establishment to  
26 operate in accordance with the operating plan submitted by  
27 the psilocybin production establishment and to inform the  
28 department prior to implementing any changes to the plan.  
29 The bill requires a psilocybin production establishment to  
30 operate in a facility that is accessible only by an individual  
31 with a valid psilocybin production establishment registration  
32 card, except that a psilocybin production establishment may  
33 authorize a person who is at least 18 years of age who is  
34 not a psilocybin production establishment agent to access the  
35 psilocybin production establishment if the psilocybin production

1 establishment tracks and monitors the individual at all times.  
2 A psilocybin production establishment shall not employ a person  
3 who is under 21 years of age or who has been convicted of  
4 a misdemeanor for drug distribution or any felony. The bill  
5 requires a psilocybin production establishment to have a single,  
6 secure public entrance and a security system with a backup power  
7 source.

8 The bill allows the department to inspect the facility and  
9 records of a psilocybin production establishment at any time  
10 during business hours. The bill grants certain investigational  
11 powers to the department and allows the department to impose a  
12 fee or suspend or revoke a license or registration for failing  
13 to comply with an inspection. The bill prohibits a psilocybin  
14 production establishment from advertising to the general public,  
15 except to advertise an employment opportunity. The bill  
16 requires the department to adopt rules for standards relating  
17 to advertisement by qualified medical psilocybin providers and  
18 qualified medical psilocybin therapists, defined in the bill.

19 The bill prohibits a person other than a psilocybin  
20 production establishment agent, qualified therapy provider,  
21 qualified therapy provider agent, or an agent of the department  
22 conducting an inspection from transporting psilocybin. A  
23 person transporting psilocybin must possess a manifest including  
24 details about the psilocybin the person has been authorized  
25 to transport. A psilocybin production establishment agent  
26 who transports psilocybin without a manifest is guilty of a  
27 simple misdemeanor punishable by a fine of \$100. A psilocybin  
28 production establishment who transports an amount of psilocybin  
29 in excess of the amount indicated in the manifest is subject  
30 to penalties as provided in Code chapter 124 (controlled  
31 substances). The bill requires a person disposing of psilocybin  
32 waste to render the psilocybin waste unusable and unrecognizable  
33 and to dispose of it in compliance with applicable state and  
34 federal law.

35 The bill requires a local government to allow a psilocybin



1 production establishment to operate in any zone designated for  
2 industrial or agricultural use, unless the local government has  
3 designated at least one industrial or agricultural zone for the  
4 operation of a psilocybin production establishment prior to the  
5 receipt of an application for the establishment of a psilocybin  
6 production establishment by the local government. The bill  
7 allows a psilocybin production establishment to operate on land  
8 that has not been zoned. The bill prohibits local governments  
9 from imposing certain restrictions on the establishment of a  
10 psilocybin production establishment.

11 The bill requires a psilocybin cultivation facility to  
12 use unique identifiers to identify certain classifications of  
13 psilocybin. The bill prohibits a psilocybin cultivation facility  
14 from selling any product other than a psilocybin product or  
15 educational material related to psilocybin and from selling to  
16 a person other than a qualified therapy provider or a registered  
17 agent of a qualified therapy provider. The bill includes certain  
18 labeling requirements for psilocybin products.

19 The bill requires the department to adopt rules for the  
20 testing of psilocybin by an independent psilocybin testing  
21 laboratory. The bill allows the department to require an  
22 independent psilocybin testing laboratory to test for a toxin  
23 if the department receives information about the presence of the  
24 toxin. The bill prohibits a psilocybin production establishment  
25 from transferring psilocybin to a qualified therapy provider  
26 until a sample of the psilocybin has been tested by an  
27 independent psilocybin testing laboratory. The bill allows  
28 the department to require an independent psilocybin testing  
29 laboratory to participate in a proficiency evaluation. If  
30 an independent psilocybin testing laboratory determines that a  
31 psilocybin product is unsafe for human use, the bill requires  
32 the independent psilocybin testing laboratory to inform the  
33 department and the psilocybin cultivation facility from which  
34 the batch originated, and the department shall place a hold on  
35 the sale and use of the psilocybin product until the department

1 completes an investigation.

2 The bill requires the department, in consultation with the  
3 departments of agriculture and public safety, to adopt rules for  
4 the creation and operation of an electronic verification system.  
5 The electronic verification system shall, at a minimum, allow  
6 a medical psilocybin provider to engage in patient management;  
7 allow access by the department and the department of inspections,  
8 appeals, and licensing; create a record each time a person  
9 accesses the system; and keeps a current record of the total  
10 number of individuals who have a psilocybin recommendation.  
11 The bill allows the department to release limited data from  
12 the electronic verification system for research, reporting,  
13 and official department purposes. A person who knowingly  
14 and intentionally releases information from the electronic  
15 verification system in violation of the bill is guilty of class  
16 "D" felony. A class "D" felony is punishable by confinement  
17 for no more than five years and a fine of at least \$1,025 but  
18 not more than \$10,245. A person who negligently or recklessly  
19 releases information from the electronic verification system in  
20 violation of the bill is guilty of a serious misdemeanor. A  
21 serious misdemeanor is punishable by confinement for no more than  
22 one year and a fine of at least \$430 but not more than \$2,560.  
23 A person who unlawfully obtains or attempts to obtain information  
24 from the electronic verification system is guilty of a class "D"  
25 felony.

26 The bill limits the number of psilocybin recommendations  
27 in the state to 5,000 patients. An individual's psilocybin  
28 recommendation expires if the individual has not received  
29 treatment from a qualified therapy provider with psilocybin or  
30 a psilocybin product by the later of one year from the day a  
31 qualified medical psilocybin provider provided the recommendation  
32 or one year from the day of the individual's most recent  
33 administration of psilocybin or a psilocybin product by a  
34 qualified therapy provider. The bill prohibits a person from  
35 recommending the use of psilocybin unless the person is a

1 qualified medical psilocybin provider, defined in the bill as  
2 a physician and surgeon or osteopathic physician and surgeon, a  
3 physician assistant, an advanced registered nurse practitioner,  
4 or an advanced practice registered nurse who is registered by  
5 the department to recommend treatment with psilocybin. The  
6 bill requires the department to issue a qualified medical  
7 psilocybin provider registration card to an individual if the  
8 individual submits an application, provides a report detailing  
9 the completion of continuing education requirements regarding the  
10 use of psilocybin listed in the bill, provides evidence that the  
11 person holds an appropriate license, and pays an application fee.

12 The bill prohibits a qualified medical psilocybin provider  
13 from recommending the use of psilocybin unless the qualified  
14 medical psilocybin provider completes a thorough assessment of  
15 the patient's condition and history, verifies that the patient  
16 has post-traumatic stress disorder, verifies that the patient  
17 is at least 21 years old, and meets with the patient in  
18 person if the qualified medical psilocybin provider has not  
19 previously recommended a psilocybin treatment to the patient.  
20 The bill places restrictions on advertisements by qualified  
21 medical psilocybin providers. A qualified medical psilocybin  
22 provider registration card expires after two years and may  
23 be renewed. The bill allows the department to revoke a  
24 qualified medical psilocybin provider registration card for  
25 failure to comply with the bill. The bill prohibits a qualified  
26 medical psilocybin provider from receiving compensation from  
27 certain persons involved in the production of psilocybin. A  
28 qualified medical psilocybin provider shall not be subject to  
29 a professional, civil, or criminal penalty solely for violating  
30 a federal law or regulation that would prohibit recommending,  
31 prescribing, possessing, or dispensing psilocybin.

32 The bill prohibits discrimination against a person in  
33 the provision of medical care, including organ or tissue  
34 transplantation, on the basis of the usage of psilocybin as  
35 provided in the bill. The bill also prohibits the state or a

1 political subdivision of the state from discriminating against  
2 an employee on the basis of the employee's use of psilocybin  
3 as provided in the bill except under certain circumstances, as  
4 provided in the bill.

5 The bill does not require an insurer, a third-party  
6 administrator, or an employer to pay or reimburse for psilocybin.  
7 The bill does not restrict the prescription, distribution, or  
8 dispensing of a product that the United States food and drug  
9 administration has approved.

10 The bill prohibits a person from administering a psilocybin  
11 treatment unless the department registers the person as a  
12 qualified medical psilocybin therapist, defined in the bill as  
13 a physician and surgeon or osteopathic physician and surgeon, a  
14 physician assistant, an advanced registered nurse practitioner,  
15 an advanced practice registered nurse, a psychologist, or a  
16 social worker. The department shall register a person as a  
17 qualified medical psilocybin therapist if the person submits  
18 an application, provides the address of the clinic where  
19 psilocybin will be administered, provides a report detailing  
20 the completion of continuing education requirements regarding  
21 the use of psilocybin listed in the bill, certifies that the  
22 individual has an inventory control system, provides evidence  
23 that person has an appropriate license, pays an application fee,  
24 and provides an emergency transport plan. A qualified medical  
25 psilocybin therapist shall not administer psilocybin to a patient  
26 unless the patient has a recommendation issued by a qualified  
27 medical psilocybin provider, the qualified medical psilocybin  
28 therapist has reviewed the patient's mental health history,  
29 the qualified medical psilocybin therapist has provided the  
30 patient with a safety sheet created by the department, there are  
31 unexpired rescue medications on site, the administration session  
32 is video-recorded, and the qualified medical psilocybin therapist  
33 has a contractual relationship with a licensed physician and  
34 surgeon or osteopathic physician and surgeon who remains on call  
35 during the course of the administration session in case a patient

1 requires nonemergency medical intervention.

2 A qualified therapy provider shall only administer psilocybin  
3 in a qualified therapy provider location. The bill places limits  
4 on advertising by qualified therapy providers. A qualified  
5 therapy provider registration expires after two years and may  
6 be renewed. The bill requires a qualified therapy provider to  
7 submit a report to the department within seven days after the  
8 occurrence of an adverse event, defined in the bill. The bill  
9 allows the department to revoke a qualified therapy provider  
10 registration if a qualified therapy provider fails to maintain  
11 compliance with the requirements of the bill.

12 The bill requires the department to submit a report to the  
13 general assembly on or before November 1, 2025, and annually  
14 by November 1 thereafter, regarding participation in the medical  
15 psilocybin program. The bill also requires the department to  
16 submit a report regarding the medical efficacy of psilocybin to  
17 the general assembly, including recommendations, by June 1, 2028.

18 The bill grants the department enforcement authority for the  
19 enforcement of the bill, including by disciplining licenses  
20 and registrations, imposing fees, and seizing and destroying  
21 psilocybin. The department shall not revoke a license or  
22 registration issued pursuant to the bill without first conducting  
23 a contested case proceeding.

24 A person who violates a provision of the bill for which  
25 another penalty is not provided is guilty of a simple misdemeanor  
26 punishable by a fine of \$100, except that a person who  
27 intentionally or knowingly violates a provision of the bill for  
28 which no other penalty is provided three or more times is guilty  
29 of a serious misdemeanor punishable by a fine of \$1,000.