

**House File 978 - Reprinted**

HOUSE FILE 978  
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HF 620)

(As Amended and Passed by the House April 21, 2025)

**A BILL FOR**

- 1 An Act relating to the production and administration of
- 2 psilocybin, and providing penalties.
- 3 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.22 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 location or as necessary based on the  
29 recommendation of the department.

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

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

34 1. A person shall not operate a psilocybin production  
35 establishment unless the person holds a psilocybin production

1 establishment license issued by the licensing board pursuant to  
2 this chapter.

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

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

8 a. (1) The proposed name of the establishment and the  
9 address where the establishment will be located, except as  
10 provided in subparagraph (2).

11 (2) The board may issue a provisional license to an applicant  
12 who submits an application that does not include the address  
13 at which the establishment will be located. The department  
14 shall convert a provisional license to a license if the  
15 provisional licensee submits documentation confirming that the  
16 provisional licensee has purchased or leased a location meeting  
17 the requirements of subsection 4 and section 124F.15.

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

20 (1) For a privately held company, a financial or voting  
21 interest in the proposed psilocybin production establishment.

22 (2) The power to direct the management or control of the  
23 proposed psilocybin production establishment.

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

28 d. A statement that the applicant will obtain and maintain  
29 a performance bond that a surety authorized to transact surety  
30 business in this state issues in an amount of at least one  
31 hundred thousand dollars for each psilocybin cultivation facility  
32 license, or at least fifty thousand dollars for each independent  
33 psilocybin testing laboratory license.

34 e. An application fee in an amount determined by the  
35 department.

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

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

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

19 6. A psilocybin production establishment may be located at  
20 the same location as a medical cannabidiol manufacturer licensed  
21 pursuant to section 124E.6 if a separate license is obtained for  
22 each.

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

28 8. The licensing board shall not issue a license to operate  
29 an independent psilocybin testing laboratory to any of the  
30 following persons:

31 a. A person who holds a license or has an ownership interest  
32 to operate a psilocybin cultivation facility.

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

1 c. A person who has an ownership interest in a psilocybin  
2 cultivation facility.

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

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

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

14 a. The psilocybin production establishment does not begin  
15 operations within one year after the date on which the licensing  
16 board issues the initial license.

17 b. An individual psilocybin production establishment operated  
18 by the licensee has violated the same provision of this chapter  
19 three times.

20 c. An individual described in subsection 3, paragraph "b", is  
21 convicted of a misdemeanor for drug distribution, or is convicted  
22 of a felony.

23 d. The licensee fails to cooperate with an investigation  
24 of the psilocybin production establishment conducted by the  
25 licensing board.

26 e. The psilocybin production establishment demonstrates a  
27 willful or reckless disregard for the requirements of this  
28 chapter or the rules of the department.

29 f. The licensing board determines that the psilocybin  
30 production establishment no longer meets the minimum standards  
31 for licensure and operation of the psilocybin production  
32 establishment.

33 g. For an independent psilocybin testing laboratory, the  
34 independent psilocybin testing laboratory fails to substantially  
35 meet the performance standards adopted by the department by rule.

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

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

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

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

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

16 17. The department may operate or partner with a research  
17 university to operate an independent psilocybin testing  
18 laboratory.

19 18. A psilocybin production establishment license shall not  
20 be transferable or assignable.

21 **Sec. 7. NEW SECTION. 124F.6 Psilocybin production**  
22 **establishment owners and directors — criminal background**  
23 **checks.**

24 1. The division of criminal investigation of the department  
25 of public safety shall conduct a thorough investigation of each  
26 applicant for a psilocybin production establishment license as in  
27 a substantially similar manner as provided in section 124E.19.  
28 The division shall report the results of the investigation to the  
29 department.

30 2. The department shall collect a fee from the applicant,  
31 determined by the department by rule, to cover the costs of the  
32 investigation by the division of criminal investigation of the  
33 department of public safety. The department shall remit the fee  
34 to the division.

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

1 The director of the department shall renew a license issued  
2 pursuant to section 124F.5 on an annual basis if all of the  
3 following apply:

4 1. The licensee meets all of the requirements for initial  
5 licensure.

6 2. The director of the department does not identify a  
7 significant failure of compliance with this chapter or grounds  
8 for revocation.

9 3. The licensee pays a renewal fee as determined by the  
10 department by rule.

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

12 A person applying for a psilocybin production establishment  
13 license or license renewal shall submit to the department for the  
14 department's review a proposed operating plan that includes all  
15 of the following:

16 1. A description of the physical characteristics of the  
17 proposed facility or, for a psilocybin cultivation facility, no  
18 more than two facility locations, including a floor plan and an  
19 architectural elevation.

20 2. A description of the credentials and experience of  
21 each officer, director, and owner of the proposed psilocybin  
22 production establishment, and of any highly skilled or  
23 experienced prospective employee.

24 3. The psilocybin production establishment's employee  
25 training standards.

26 4. A security plan.

27 5. A description of the psilocybin production establishment's  
28 inventory control system.

29 6. Storage protocols to ensure that psilocybin is stored in  
30 a manner that is sanitary and preserves the integrity of the  
31 psilocybin.

32 7. For a psilocybin cultivation facility:

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

35 b. Square footage under cultivation and anticipated

1 psilocybin yield.

2 8. For an independent psilocybin testing laboratory:

3 a. Psilocybin and psilocybin product testing capacity.

4 b. Psilocybin and psilocybin product testing equipment.

5 c. Testing methods, standards, practices, and procedures for  
6 testing psilocybin or psilocybin product.

7 Sec. 10. NEW SECTION. **124F.9 Psilocybin production**  
8 **establishment agent — registration.**

9 1. An individual shall not act as a psilocybin production  
10 establishment agent unless the department registers the  
11 individual as a psilocybin production establishment agent,  
12 regardless of whether the individual is a seasonal, temporary, or  
13 permanent employee.

14 2. None of the following individuals shall serve as a  
15 psilocybin production establishment agent or have the power  
16 to direct or cause the management or control of a psilocybin  
17 production establishment:

18 a. An advanced registered nurse practitioner licensed under  
19 chapter 152 or an advanced practice registered nurse under  
20 chapter 152E.

21 b. An individual licensed under chapter 148 to practice  
22 medicine and surgery or osteopathic medicine and surgery.

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

24 3. An independent psilocybin testing laboratory agent may not  
25 act as a psilocybin cultivation facility agent.

26 4. The department shall, within fifteen business days  
27 from the date on which the department receives a complete  
28 application from a psilocybin production establishment on behalf  
29 of a prospective psilocybin production establishment agent,  
30 register and issue a psilocybin production establishment agent  
31 registration card to the prospective psilocybin production  
32 establishment agent who successfully passes a criminal background  
33 investigation as provided in section 124F.6 if the psilocybin  
34 production establishment does all of the following:

35 a. Provides to the department the prospective psilocybin

1 production establishment agent's name and address.

2     b. Pays a fee to the department in an amount determined by  
3 the department by rule.

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

8     6. a. A psilocybin production establishment agent shall  
9 comply with either a certification standard developed by the  
10 department by rule, or a certification standard that the  
11 department has reviewed and approved.

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

14         (1) Iowa medical psilocybin law.

15         (2) For a psilocybin cultivation facility agent, psilocybin  
16 cultivation best practices.

17         (3) For an independent psilocybin testing laboratory agent,  
18 psilocybin laboratory testing best practices.

19     7. A psilocybin production establishment agent registration  
20 card shall expire two years from the date the department issued  
21 the card. A psilocybin production establishment agent may renew  
22 the agent's registration card if the agent is still eligible  
23 to hold a psilocybin production establishment agent registration  
24 card and pays a fee determined by the department by rule.

25     8. a. A psilocybin production establishment agent shall  
26 carry the individual's psilocybin production card with the agent  
27 at all times when the agent is on the premises of a psilocybin  
28 production establishment where the agent is registered, or when  
29 the agent is transporting psilocybin or psilocybin product.

30     b. If a psilocybin production establishment agent possesses  
31 psilocybin or psilocybin product and produces the registration  
32 card while handling or transporting psilocybin or psilocybin  
33 product, there is a rebuttable presumption that the agent  
34 possesses the psilocybin or psilocybin product legally and a law  
35 enforcement officer does not have probable cause, based solely on

1 the agent's possession of the psilocybin or psilocybin product,  
2 to believe that the individual is engaging in illegal activity.

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

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

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

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

14 Sec. 11. NEW SECTION. **124F.10 Psilocybin production**  
15 **establishment — general operation requirements.**

16 1. A psilocybin production establishment shall operate in  
17 accordance with the operating plan submitted by the psilocybin  
18 production establishment pursuant to section 124F.8. A  
19 psilocybin production establishment shall notify the department  
20 prior to implementing a change to the establishment's operating  
21 plan. The department shall inform the establishment of any  
22 deficiencies in the new operating plan.

23 2. a. Except as provided in paragraph "b", a psilocybin  
24 production establishment shall operate in a facility that is  
25 accessible only by an individual with a valid psilocybin  
26 production establishment agent registration card.

27 b. A psilocybin production establishment may authorize an  
28 individual who is at least eighteen years of age and who  
29 is not a psilocybin production establishment agent to access  
30 the psilocybin production establishment if the psilocybin  
31 production establishment tracks and monitors the individual at  
32 all times while the individual is at the psilocybin production  
33 establishment, and maintains a record of the individual's access,  
34 including arrival and departure.

35 3. A psilocybin production establishment shall not employ an

1 individual who is younger than twenty-one years of age or who  
2 has been convicted of a misdemeanor for drug distribution, or  
3 convicted of a felony.

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

6 a. A single, secure public entrance.

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

9 (1) Detects and records entry into the psilocybin production  
10 establishment.

11 (2) Provides notice of an unauthorized entry to law  
12 enforcement when the psilocybin production establishment is  
13 closed.

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

16 Sec. 12. NEW SECTION. **124F.11 Inspections.**

17 1. The department may inspect the records and facility of a  
18 psilocybin production establishment at any time during business  
19 hours to determine if the psilocybin production establishment  
20 complies with this chapter.

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

23 a. Inspection of a site, facility, vehicle, book, record,  
24 paper, document, data, and other physical or electronic  
25 information.

26 b. Questioning of any relevant individual.

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

29 d. The sampling of a specimen of psilocybin or psilocybin  
30 product sufficient for testing purposes.

31 e. Inspection of equipment, an instrument, a tool, or  
32 machinery, including a container or label.

33 3. In conducting an inspection under this section, the  
34 department may review and make copies of a book, record, paper,  
35 document, data, or other physical or electrical information,

1 including financial data, sales data, shipping data, pricing  
2 data, and employee data.

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

6 Sec. 13. NEW SECTION. **124F.12 Advertising.**

7 1. A psilocybin production establishment shall not advertise  
8 to the general public in any medium, except that a psilocybin  
9 production establishment may advertise an employment opportunity  
10 at the psilocybin production establishment.

11 2. The department shall adopt rules pursuant to chapter 17A  
12 for standards relating to advertising by a qualified medical  
13 psilocybin provider or qualified therapy provider. The rules  
14 shall ensure that advertising by a qualified medical psilocybin  
15 provider or qualified therapy provider does not imply that the  
16 psilocybin may be used for recreational purposes.

17 Sec. 14. NEW SECTION. **124F.13 Psilocybin transportation.**

18 1. No individual other than the following may transport  
19 psilocybin or a psilocybin product:

20 a. A registered psilocybin production establishment agent.

21 b. A qualified therapy provider.

22 c. A registered qualified therapy provider agent.

23 d. An agent of the department conducting an inspection  
24 pursuant to section 124F.11.

25 2. An individual transporting psilocybin or psilocybin  
26 product shall be employed by the individual authorizing the  
27 transportation and possess a manifest that includes all of the  
28 following:

29 a. A unique identifier that links the psilocybin or  
30 psilocybin product to a relevant inventory control system.

31 b. The origin and destination information for any psilocybin  
32 or psilocybin product that the person is transporting.

33 c. The departure and arrival times of the individual  
34 transporting the psilocybin or psilocybin product.

35 3. A registered psilocybin production establishment agent

1 transporting psilocybin or psilocybin product without a manifest  
2 as provided in subsection 2 is guilty of a simple misdemeanor  
3 punishable by a fine of one hundred dollars. However, if the  
4 registered psilocybin production establishment agent is carrying  
5 more psilocybin or psilocybin product than is indicated on  
6 the manifest, other than a de minimis amount, the registered  
7 psilocybin production establishment agent is subject to penalties  
8 as provided in chapter 124.

9 4. This section shall not prohibit the department from taking  
10 administrative enforcement action against a psilocybin production  
11 establishment or another person for failing to make a transport  
12 in compliance with this section.

13 Sec. 15. NEW SECTION. **124F.14 Psilocybin — excess and**  
14 **disposal.**

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

18 2. A psilocybin production establishment shall do all of the  
19 following:

20 a. Render psilocybin waste unusable and unrecognizable before  
21 transporting it from the psilocybin production establishment.

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

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

26 Sec. 16. NEW SECTION. **124F.15 Psilocybin production**  
27 **establishment — local control.**

28 1. A local government shall allow a psilocybin production  
29 establishment to operate in any zone designated for industrial  
30 use unless the local government has designated by ordinance  
31 at least one industrial zone for the operation of psilocybin  
32 production establishments before a person submits an application  
33 for the establishment of a psilocybin production establishment to  
34 the local government.

35 2. A local government shall allow a psilocybin production

1 establishment to operate in any zone designated for agricultural  
2 use unless the local government has designated by ordinance  
3 at least one agricultural zone for the operation of psilocybin  
4 production establishments before a person submits an application  
5 for the establishment of a psilocybin production establishment to  
6 the local government.

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

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

10 a. Revoke from, or refuse to issue a license or permit to,  
11 a psilocybin production establishment on the sole basis that the  
12 applicant or psilocybin production establishment violates federal  
13 law regarding the legal status of psilocybin.

14 b. Require a certain distance between a psilocybin production  
15 establishment and another psilocybin production establishment or  
16 a retail tobacco store as defined in section 142D.2.

17 c. Enforce an ordinance against a psilocybin production  
18 establishment that was not in effect on the date the psilocybin  
19 production establishment submitted a complete application to the  
20 local government.

21 Sec. 17. NEW SECTION. **124F.16 Psilocybin cultivation**  
22 **facility — growing and harvesting.**

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

26 a. Each unique harvest of psilocybin.

27 b. Each batch of psilocybin that the facility transfers to an  
28 independent psilocybin testing laboratory.

29 c. Any psilocybin waste, as defined in section 124F.14, of  
30 which the psilocybin cultivation facility disposes.

31 2. A psilocybin cultivation facility shall identify  
32 psilocybin biomass as psilocybin byproduct or psilocybin product  
33 before transferring the psilocybin biomass from the facility.

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

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

3     1. A psilocybin cultivation facility shall not sell a product  
4 other than a psilocybin product or educational material related  
5 to the medical use of psilocybin.

6     2. A psilocybin cultivation facility shall not sell a product  
7 to a person other than a qualified therapy provider or a  
8 registered agent of a qualified therapy provider.

9     Sec. 19. NEW SECTION.   **124F.18 Psilocybin cultivation**  
10 **facility — labeling.**

11    1. A psilocybin cultivation facility shall label a psilocybin  
12 or psilocybin product with the amount of active psilocybin in the  
13 psilocybin or psilocybin product.

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

16    Sec. 20. NEW SECTION.   **124F.19 Independent psilocybin**  
17 **testing laboratory — psilocybin and psilocybin product**  
18 **testing.**

19    1. The department shall adopt rules pursuant to chapter 17A  
20 to do all of the following:

21    a. Identify the adulterant analyses required to be performed  
22 on psilocybin or psilocybin product.

23    b. Determine the level of each adulterant that is safe for  
24 human consumption.

25    c. Establish protocols for a recall of psilocybin or  
26 psilocybin product by a psilocybin production establishment.

27    2. The department may require an independent psilocybin  
28 testing laboratory to test for a toxin if the department receives  
29 information indicating the potential presence of a toxin, or  
30 the department's inspector has reason to believe a toxin may be  
31 present based on the inspection of a facility.

32    3. A psilocybin production establishment may not transfer  
33 psilocybin or psilocybin product to a qualified therapy provider  
34 until an independent psilocybin testing laboratory tests a  
35 representative sample of the psilocybin or psilocybin product as

1 provided by the department by rule.

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

5 5. The department shall adopt rules pursuant to chapter  
6 17A for standards, methods, practices, and procedures for the  
7 testing of psilocybin and psilocybin products by an independent  
8 psilocybin laboratory.

9 6. The department may require an independent psilocybin  
10 testing laboratory to participate in a proficiency evaluation  
11 that the department conducts, or that an organization that the  
12 department approves conducts.

13 Sec. 21. NEW SECTION. **124F.20 Independent psilocybin**  
14 **testing laboratory — inspections.**

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

18 a. The independent psilocybin testing laboratory shall report  
19 the laboratory test results and the psilocybin or psilocybin  
20 product batch to the department and the psilocybin cultivation  
21 facility from which the batch originated.

22 b. The department shall place a hold on the psilocybin or  
23 psilocybin products to conduct a root cause analysis of the  
24 defective batch and make a determination as to the root cause.  
25 The psilocybin cultivation facility that grew the psilocybin may  
26 appeal the determination of the department.

27 2. If the department determines that psilocybin or psilocybin  
28 product prepared by a psilocybin cultivation establishment is  
29 unsafe for human consumption, the department may seize, embargo,  
30 or destroy the psilocybin or psilocybin product batch as provided  
31 in section 124F.14.

32 3. If an independent psilocybin testing laboratory determines  
33 that the results of a lab test indicate that the active  
34 psilocybin content of psilocybin or a psilocybin product batch  
35 diverges more than ten percent from the amount the label

1 indicates, the psilocybin cultivation facility shall not sell  
2 the psilocybin or psilocybin product batch unless the facility  
3 replaces the incorrect label with a label that correctly  
4 indicates the active psilocybin content.

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

7 1. The department, in consultation with the department of  
8 agriculture and land stewardship and the department of public  
9 safety, shall adopt rules pursuant to chapter 17A for the  
10 creation and operation of an electronic verification system that,  
11 at minimum, does all of the following:

12 a. Allows a qualified medical psilocybin provider to access  
13 dispensing information regarding a patient of the qualified  
14 medical psilocybin provider, electronically recommend or renew  
15 a recommendation for psilocybin or a psilocybin product,  
16 connect with an inventory control system that a psilocybin  
17 production establishment uses to track in real time and archive  
18 purchases of any psilocybin or psilocybin product, and connect  
19 with an inventory control system that a psilocybin production  
20 establishment utilizes.

21 b. Allows access by all of the following:

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

24 (2) The department of inspections, appeals, and licensing  
25 to carry out the functions and responsibilities related to  
26 the participation of qualified medical psilocybin providers  
27 and qualified therapy providers in the recommendation and  
28 administration of psilocybin.

29 c. Creates a record each time a person accesses the system  
30 that identifies the person who accessed the system and the  
31 individual whose records the person accessed.

32 d. Keeps a current record of the total number of individuals  
33 who have a psilocybin recommendation issued pursuant to section  
34 124F.23.

35 2. The department may release limited data from the

1 electronic verification system for the purposes of conducting  
2 research, issuing required reports, or for other official  
3 department purposes.

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

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

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

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

17 5. a. Except as provided in paragraph "b", a person  
18 who knowingly and intentionally uses, releases, publishes, or  
19 otherwise makes available to any other person information  
20 obtained from the state electronic verification system for any  
21 purpose other than a purpose specified in this section is guilty  
22 of a class "D" felony.

23 b. This subsection shall not prohibit a person who rightfully  
24 obtains information from the state electronic verification system  
25 from including the information in the person's medical chart  
26 or file for access by a person authorized to review the  
27 medical chart or file, providing the information to a person in  
28 accordance with the requirements of the federal Health Insurance  
29 Portability and Accountability Act of 1996, Pub. L. No. 104-191,  
30 or discussing or sharing that information about the patient with  
31 the patient.

32 **Sec. 23. NEW SECTION. 124F.22 Qualified medical psilocybin**  
33 **provider registration — continuing education — treatment**  
34 **recommendation.**

35 1. An individual shall not recommend a medical psilocybin

1 treatment unless the department registers the individual as a  
2 qualified medical psilocybin provider under this section.

3 2. The department shall, within fifteen days after the date  
4 the department receives an application from an individual,  
5 register and issue a qualified medical psilocybin provider  
6 registration card to the individual if the individual does all  
7 of the following:

8 a. Provides to the department the individual's name and  
9 address.

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

13 c. Provides to the department evidence that the individual  
14 holds a license that qualifies the individual as a qualified  
15 medical psilocybin provider.

16 d. Pays an application fee as determined by the department by  
17 rule.

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

20 3. a. An individual applying for initial registration or  
21 renewal of a registration shall complete a continuing education  
22 program as determined by the department by rule. The continuing  
23 education program shall be offered by the department or a  
24 continuing education provider approved by the department. The  
25 continuing education program shall address all of the following:

26 (1) This chapter.

27 (2) General information about psilocybin under federal and  
28 state law.

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

31 (4) Best practices for recommending the form and dosage of  
32 psilocybin.

33 (5) Systems and receptors affected by psilocybin.

34 (6) Mechanisms of action.

35 (7) Drug interactions.

1 (8) Diagnostic criteria.

2 (9) Contraindications.

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

4 (11) Administrative set and setting, including physical  
5 patient safety.

6 (12) Integration.

7 (13) Potential outcomes.

8 (14) Ethical considerations.

9 (15) Discharge safety planning.

10 b. An applicant for initial registration shall complete  
11 sixteen hours of continuing education. A qualified medical  
12 psilocybin provider shall complete four hours of continuing  
13 education every two years.

14 4. A qualified medical psilocybin provider shall not  
15 recommend psilocybin to a patient, or renew a recommendation for  
16 psilocybin, unless the qualified medical psilocybin provider has  
17 done all of the following:

18 a. Completed and documented in the patient's medical record  
19 a thorough assessment of the patient's condition and medical  
20 history based on the appropriate standard of care.

21 b. Verified that the patient is at least twenty-one years  
22 old.

23 c. Met with the patient face to face if the qualified medical  
24 psilocybin provider has not recommended a psilocybin treatment to  
25 the patient in the past.

26 5. a. Except as provided in paragraph "b", an individual  
27 shall not advertise that the individual recommends medical  
28 psilocybin treatment.

29 b. A qualified medical psilocybin provider, or a clinic or  
30 office that employs a qualified medical psilocybin provider, may  
31 advertise the following:

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

33 (2) That the individual is registered as a qualified medical  
34 psilocybin provider and recommends medical psilocybin.

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

1 6. a. A qualified medical psilocybin provider registration  
2 card shall expire two years from the date the department issued  
3 the card.

4 b. The department shall adopt rules pursuant to chapter 17A  
5 for the renewal of a medical psilocybin provider registration  
6 card.

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

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

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

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

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

30 **Sec. 24. NEW SECTION. 124F.23 Standard of care — provider**  
31 **not liable — no private right of action.**

32 1. A qualified medical psilocybin provider or a qualified  
33 therapy provider who recommends or administers psilocybin in  
34 compliance with this chapter shall not be subject to a civil  
35 or criminal penalty, or license discipline, solely for violating

1 a federal law or regulation that prohibits recommending,  
2 prescribing, possessing, or dispensing psilocybin or a psilocybin  
3 product.

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

8 Sec. 25. NEW SECTION. **124F.24 Nondiscrimination for use of**  
9 **psilocybin.**

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

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

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

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

35 (2) The employee's position is dependent on a license

1 or peace officer certification that is subject to federal  
2 regulations, including 18 U.S.C. §922(g)(3).

3 (3) An employee who uses medical psilocybin during the twelve  
4 hours immediately preceding the employee's shift or during the  
5 employee's shift.

6 3. An agency of this state or a political subdivision  
7 thereof, including any law enforcement agency, shall not remove  
8 or initiate proceedings to remove a child under the age of  
9 eighteen from the home of a parent based solely upon the parent's  
10 possession or use of psilocybin as authorized under this chapter.

11 Sec. 26. NEW SECTION. **124F.25 Insurance — coverage**  
12 **requirement.**

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

16 Sec. 27. NEW SECTION. **124F.26 Approved drugs.**

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

20 Sec. 28. NEW SECTION. **124F.27 Qualified therapy provider**  
21 **registration — continuing education — psilocybin**  
22 **administration.**

23 1. An individual shall not administer a medical psilocybin  
24 treatment unless the department registers the individual as  
25 a qualified medical psilocybin therapist as provided in this  
26 section.

27 2. The department shall, within fifteen days after the date  
28 the department receives an application from an individual,  
29 register and issue a qualified medical psilocybin therapist  
30 registration card to the individual if the individual does all  
31 of the following:

32 a. Provides to the department the individual's name and  
33 address.

34 b. Provides to the department the address of the clinic  
35 at which the individual will be administering psilocybin to

1 patients.

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

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

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

10 f. Pays an application fee as determined by the department by  
11 rule.

12 g. Provides to the department an emergency transport plan for  
13 patients who experience a medical emergency during the course of  
14 treatment.

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

21 (1) This chapter.

22 (2) General information about psilocybin under federal and  
23 state law.

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

26 (4) Best practices for recommending the form and dosage of  
27 psilocybin.

28 (5) Systems and receptors affected by psilocybin.

29 (6) Mechanisms of action.

30 (7) Drug interactions.

31 (8) Diagnostic criteria.

32 (9) Contraindications.

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

34 (11) Administrative set and setting, including physical  
35 patient safety.

1 (12) Integration.

2 (13) Potential outcomes.

3 (14) Ethical considerations.

4 (15) Discharge safety planning.

5 b. An applicant for initial registration shall complete  
6 eighty hours of continuing education. A qualified therapy  
7 provider shall complete four hours of continuing education every  
8 two years.

9 4. A qualified therapy provider shall only administer  
10 psilocybin to a patient when all of the following requirements  
11 are met:

12 a. The patient has a recommendation issued by a qualified  
13 medical psilocybin provider.

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

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

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

21 e. The administration session is video-recorded and the video  
22 recording is preserved for one year from the date of the session,  
23 or the patient gives written, informed consent waiving the  
24 video-recording requirement.

25 f. The qualified therapy provider has a contractual  
26 relationship with a licensed physician and surgeon or osteopathic  
27 physician and surgeon who remains on call during the course  
28 of the administration session in case the patient requires  
29 nonemergency medical intervention.

30 5. A qualified therapy provider shall only administer  
31 psilocybin or a psilocybin product in a qualified therapy  
32 provider location.

33 6. a. Except as provided in paragraph "b", an individual  
34 shall not advertise that the individual administers medical  
35 psilocybin treatment.

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

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

4       (2) That the individual is registered as a qualified therapy  
5 provider and administers medical psilocybin.

6       (3) A scientific study regarding medical psilocybin use.

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

9       b. The department shall adopt rules pursuant to chapter 17A  
10 for the renewal of a qualified therapy provider registration  
11 card.

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

15       a. The age and sex of the patient.

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

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

18       d. Factors which contributed to the adverse event.

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

20       f. The ultimate outcome of the adverse event.

21     9. The department may revoke a qualified therapy provider  
22 registration card if a qualified therapy provider fails to  
23 maintain compliance with this section.

24     Sec. 29. NEW SECTION.   **124F.28 Qualified therapy provider**  
25 **agent — registration.**

26     1. An individual shall not act as a qualified therapy  
27 provider agent unless the department registers the individual as  
28 a qualified therapy provider agent, regardless of whether the  
29 individual is a seasonal, temporary, or permanent employee.

30     2. The department shall, within fifteen business days after  
31 the date the department receives a complete application from a  
32 qualified therapy provider agent, register and issue a qualified  
33 therapy provider agent registration card to the prospective agent  
34 who successfully passes a criminal background investigation as  
35 provided in section 124F.6 if the prospective agent does all of

1 the following:

2     a. Provides to the department the prospective agent's name  
3 and address.

4     b. Pays a fee to the department in an amount determined by  
5 the department by rule.

6     3.   a. A qualified therapy provider agent shall comply with  
7 either a certification standard developed by the department  
8 by rule, or a certification standard that the department has  
9 reviewed and approved.

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

12     4. A qualified therapy provider agent registration card  
13 shall expire two years from the date the department issued the  
14 card. A qualified therapy provider agent may renew the agent's  
15 registration card if the agent is still eligible to hold a  
16 qualified therapy provider agent registration card and pays a fee  
17 determined by the department by rule.

18     5.   a. A qualified therapy provider agent shall carry the  
19 individual's qualified therapy provider agent card with the agent  
20 at all times when the agent is handling psilocybin or psilocybin  
21 product.

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

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

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

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

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

6 Sec. 30. NEW SECTION. **124F.29 Reports.**

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

10 (1) The number of patients for whom psilocybin has been  
11 recommended.

12 (2) The age and county of patients.

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

14 (4) The number of license applications and renewal  
15 applications received.

16 (5) The number of licenses the department has issued in each  
17 county.

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

19 (7) The expenses incurred and revenues generated from the  
20 medical psilocybin program.

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

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

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

27 Sec. 31. NEW SECTION. **124F.30 Enforcement.**

28 1. If a person that is licensed or registered under this  
29 chapter violates a provision of this chapter or rules adopted by  
30 the department pursuant to this chapter, or fails to comply with  
31 an enforcement action taken under this chapter, the department  
32 may do any of the following, subject to the requirements of this  
33 section:

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

35 b. Decline to renew the person's license or registration

1 card.

2 c. Assess an administrative fee, as determined by the  
3 department by rule.

4 2. If the department finds that a person produced a  
5 psilocybin or psilocybin product batch that contains a substance,  
6 other than active psilocybin, that poses a significant threat to  
7 human health the department shall do all of the following:

8 a. Issue the person a written administrative citation.

9 b. Attempt to negotiate a stipulated settlement.

10 c. Seize, embargo, or destroy the psilocybin or psilocybin  
11 product batch.

12 d. Order the person to cease and desist from the action that  
13 creates a violation.

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

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

22 5. Except where a criminal penalty is expressly provided for  
23 a specific violation of this chapter, the following criminal  
24 penalties apply:

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

28 b. An individual who intentionally or knowingly violates a  
29 provision of this chapter, or violates a provision of this  
30 chapter three or more times, is guilty of a serious misdemeanor  
31 punishable by a fine of one thousand dollars.

32 Sec. 32. NEW SECTION. **124F.31 Psilocybin and psilocybin**  
33 **products — consumable goods — rules.**

34 The department shall adopt rules pursuant to chapter 17A to  
35 allow for the production and sale of consumable goods containing

1 psilocybin and psilocybin product.

2     Sec. 33. NEW SECTION.   **124F.32   Contracts enforceable.**

3     It is the public policy of this state that contracts  
4 related to the production, sale, and administration of psilocybin  
5 pursuant to this chapter shall be enforceable. It is the  
6 public policy of this state that no contract entered into by a  
7 psilocybin production establishment, qualified medical psilocybin  
8 provider, or qualified therapy provider, or its employees or  
9 agents as permitted pursuant to a valid registration, or by  
10 an entity who allows property to be used by an establishment,  
11 qualified medical psilocybin provider, or qualified therapy  
12 provider, its employees, or its agents as permitted pursuant to  
13 a valid registration, shall be unenforceable on the basis that  
14 cultivating, obtaining, manufacturing, distributing, dispensing,  
15 transporting, selling, possessing, or using psilocybin is  
16 prohibited by federal law.

17     Sec. 34. **PSYCHEDELIC COMPOUNDS — STUDY.** The department of  
18 health and human services shall conduct a study regarding the use  
19 of psychedelic compounds other than psilocybin in the treatment  
20 of medical conditions. The department shall submit a report  
21 to the general assembly, including the department's findings and  
22 recommendations, by January 1, 2026.