

SENATE
STATE OF MINNESOTA
NINETY-FOURTH SESSION

S.F. No. 3971

(SENATE AUTHORS: OUMOU VERBETEN, Koran and Boldon)

DATE	D-PG	OFFICIAL STATUS
02/26/2026	6415	Introduction and first reading
		Referred to Health and Human Services
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1.1 A bill for an act

1.2 relating to health; establishing a psilocybin therapeutic use program; establishing

1.3 protections for registered patients, designated cultivators, registered facilitators,

1.4 and health care practitioners; authorizing rulemaking; authorizing civil actions;

1.5 establishing fees; classifying data; establishing an advisory committee; providing

1.6 criminal penalties; appropriating money; proposing coding for new law in

1.7 Minnesota Statutes, chapter 152.

1.8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.9 Section 1. **PURPOSE.**

1.10 The purpose of this act is to establish a legal, regulated framework for the therapeutic

1.11 use of psilocybin by individuals who are 21 years of age or older, have been diagnosed with

1.12 a qualifying medical condition, and meet the other requirements for enrollment in the

1.13 program. This act draws on the successes and lessons of Minnesota's medical cannabis

1.14 program and emphasizes compassionate access, harm reduction, and patient safety.

1.15 Sec. 2. **[152.40] DEFINITIONS.**

1.16 Subdivision 1. **Application.** For the purposes of sections 152.40 to 152.53, the following

1.17 terms have the meanings given.

1.18 Subd. 2. **Administration session.** "Administration session" means a session supervised

1.19 by a registered facilitator during which a registered patient consumes and experiences the

1.20 effects of psilocybin.

1.21 Subd. 3. **Commissioner.** "Commissioner" means the commissioner of health.

1.22 Subd. 4. **Designated cultivator.** "Designated cultivator" means an individual designated

1.23 by a registered patient to cultivate psilocybin on the patient's behalf.

2.1 Subd. 5. **Health care practitioner.** "Health care practitioner" means a Minnesota-licensed
2.2 physician, advanced practice registered nurse, or physician assistant.

2.3 Subd. 6. **Integration session.** "Integration session" means a meeting between a registered
2.4 patient and a registered facilitator that occurs after the completion of an administration
2.5 session.

2.6 Subd. 7. **Motor vehicle.** "Motor vehicle" has the meaning given in section 169A.03,
2.7 subdivision 15.

2.8 Subd. 8. **Personal use.** "Personal use" means the use of psilocybin by a registered patient,
2.9 and not commercial sale or distribution of psilocybin.

2.10 Subd. 9. **Preparation session.** "Preparation session" means a meeting between a
2.11 registered patient and a registered facilitator that occurs before an administration session.
2.12 Preparation session does not mean an initial consultation between a registered patient and
2.13 registered facilitator regarding psilocybin use, an inquiry from a registered patient to a
2.14 registered facilitator regarding psilocybin use, or a registered facilitator's response to a
2.15 registered patient's inquiry regarding psilocybin use.

2.16 Subd. 10. **Program.** "Program" means the psilocybin therapeutic use program established
2.17 under sections 152.40 to 152.53.

2.18 Subd. 11. **Psilocybin.** "Psilocybin" means any mushroom, in raw, dried, or prepared
2.19 form, that contains the psychoactive compound psilocybin or its metabolite psilocin.

2.20 Subd. 12. **Psychedelic Medicine Advisory Committee or advisory**
2.21 **committee.** "Psychedelic Medicine Advisory Committee" or "advisory committee" means
2.22 the advisory committee established under section 152.53.

2.23 Subd. 13. **Public place.** "Public place" means an area open to the public, including but
2.24 not limited to a public street or sidewalk; a pedestrian skyway system as defined in section
2.25 469.125, subdivision 4; or a park.

2.26 Subd. 14. **Qualifying medical condition.** "Qualifying medical condition" means a
2.27 medical condition designated by the commissioner for which psilocybin is an appropriate
2.28 therapeutic use.

2.29 Subd. 15. **Registered facilitator.** "Registered facilitator" means an individual registered
2.30 with the commissioner to provide services in preparation sessions and integration sessions
2.31 and to supervise administration sessions.

3.1 Subd. 16. **Registered patient.** "Registered patient" means a Minnesota resident certified
3.2 by a health care practitioner as having a qualifying medical condition and enrolled in the
3.3 psilocybin therapeutic use program.

3.4 Sec. 3. **[152.41] PSILOCYBIN THERAPEUTIC USE PROGRAM.**

3.5 Subdivision 1. **Establishment.** The commissioner of health must establish and administer
3.6 a psilocybin therapeutic use program according to sections 152.40 to 152.53 in which
3.7 individuals age 21 and older who have a qualifying medical condition and meet the other
3.8 eligibility requirements may enroll in the program and are able to access and use psilocybin
3.9 in a safe, therapeutic manner.

3.10 Subd. 2. **Rulemaking; commissioner of health.** (a) The commissioner must adopt rules
3.11 to govern the operation of the program. The rules must at least:

3.12 (1) specify the qualifying medical conditions that an individual must be diagnosed with
3.13 in order to enroll in the program;

3.14 (2) specify the maximum number of registered patients for whom a designated cultivator
3.15 may cultivate psilocybin;

3.16 (3) establish a standardized questionnaire for use by health care practitioners to conduct
3.17 health screenings of individuals seeking to enroll in the program;

3.18 (4) establish a standardized formal risk assessment tool for use by health care practitioners
3.19 to evaluate identified contraindications in individuals seeking to enroll in the program; and

3.20 (5) establish qualifications to register with the commissioner as a facilitator, including
3.21 any additional subjects on which individuals must demonstrate competency and how
3.22 individuals must demonstrate competency in the required subjects.

3.23 (b) The commissioner must consult with the advisory committee in adopting rules under
3.24 this subdivision.

3.25 (c) Rules for which notice is published in the State Register before July 1, 2026, may
3.26 be adopted using the expedited rulemaking process in section 14.389. The notice of the
3.27 proposed rule for the items in paragraph (a) must be published in the State Register no later
3.28 than January 1, 2026.

3.29 Subd. 3. **Rulemaking; commissioner of agriculture.** (a) The commissioner of agriculture
3.30 must adopt rules to regulate the cultivation of psilocybin by or for registered patients. The
3.31 rules must at least:

4.1 (1) establish the maximum amount of psilocybin a registered patient may cultivate for
4.2 the registered patient's personal use and the maximum amount a designated cultivator may
4.3 cultivate for personal use by one or more registered patients;

4.4 (2) establish cultivation requirements to ensure safety and prevent diversion of the
4.5 psilocybin being cultivated; and

4.6 (3) establish limits for the quantity of psilocybin registered patients and designated
4.7 cultivators may lawfully possess under the program to ensure an adequate supply for
4.8 therapeutic use while reducing the risk of illicit distribution.

4.9 (b) The commissioner of agriculture must consult with the advisory committee in adopting
4.10 rules under this subdivision.

4.11 (c) Rules for which notice is published in the State Register before July 1, 2026, may
4.12 be adopted using the expedited rulemaking process in section 14.389. The notice of the
4.13 proposed rule for the for the items in paragraph (a) must be published in the State Register
4.14 no later than January 1, 2026.

4.15 Subd. 4. **Evaluation and research.** (a) The commissioner must collect from registered
4.16 patients de-identified data on the frequency with which registered patients use psilocybin
4.17 in administration sessions, the qualifying medical conditions for which psilocybin is used,
4.18 outcomes from psilocybin use experienced by registered patients, and adverse effects of
4.19 psilocybin use experienced by registered patients. Registered patients must provide data to
4.20 the commissioner in a form and manner specified by the commissioner. The commissioner
4.21 must use data collected under this paragraph to evaluate the program and, in consultation
4.22 with the advisory committee, develop recommendations to improve the program.

4.23 (b) The commissioner may support research that investigates novel therapeutic uses of
4.24 psilocybin and psilocin. In determining whether to support research initiatives, the
4.25 commissioner must consider the recommendations of the task force authorized under Laws
4.26 2023, chapter 70, article 4, section 99.

4.27 Sec. 4. **[152.42] ELIGIBILITY AND ENROLLMENT IN PROGRAM.**

4.28 Subdivision 1. **Registration system.** The commissioner must administer a secure
4.29 registration system to track patients enrolled in the program while protecting their privacy.

4.30 Subd. 2. **Eligibility for enrollment.** (a) To enroll in the program, an individual must:

4.31 (1) be 21 years of age or older;

5.1 (2) submit to the commissioner a written certification from a health care practitioner
5.2 dated within 90 days of submission and verifying the individual's diagnosis with a qualifying
5.3 medical condition;

5.4 (3) submit to the commissioner a written certification or certifications from one or more
5.5 health care practitioners dated within 90 days of submission and verifying either:

5.6 (i) that the detailed health screening conducted according to subdivision 3 did not identify
5.7 contraindications to the individual's use of psilocybin; or

5.8 (ii) that the detailed health screening identified contraindications to the individual's use
5.9 of psilocybin but a health care practitioner conducted a further evaluation using a formal
5.10 risk assessment tool and determined the individual's identified contraindications should not
5.11 preclude the individual from using psilocybin; and

5.12 (4) submit an application to the commissioner in a form and manner specified by the
5.13 commissioner.

5.14 (b) Individuals may apply for enrollment in the program beginning January 1, 2027.

5.15 Subd. 3. **Health screening; evaluation.** An individual who wishes to enroll in the
5.16 program must have a detailed health screening performed by a health care practitioner to
5.17 identify whether the individual has any significant physical or mental health conditions that
5.18 are contraindications to the use of psilocybin. Contraindications may include but are not
5.19 limited to cardiovascular disease, psychosis, and bipolar disorders. If the health care
5.20 practitioner determines in the screening that the individual has one or more contraindications
5.21 to the use of psilocybin, the individual must have the contraindication further evaluated by
5.22 a health care practitioner using a formal risk assessment tool. An individual who has an
5.23 additional evaluation performed may proceed with an application under subdivision 2 only
5.24 if the health care practitioner performing the additional evaluation determines the individual's
5.25 identified contraindications should not preclude the individual from using psilocybin.

5.26 Subd. 4. **Informed consent.** Upon receiving the individual's complete application and
5.27 certifications required under subdivision 2, the commissioner must provide the individual
5.28 with information on the nature of psilocybin use for therapeutic purposes, potential adverse
5.29 effects of psilocybin use, and possible interactions between psilocybin and other commonly
5.30 used drugs, along with a document, to be signed and returned by the individual, that the
5.31 individual has read and understood the information provided and wishes to enroll in the
5.32 program. An individual who wishes to proceed with the individual's application must sign
5.33 and date the informed consent form and return it to the commissioner.

6.1 Subd. 5. **Enrollment.** The commissioner must approve or deny the individual's application
6.2 within 60 days after receiving the individual's informed consent form under subdivision 4.
6.3 Upon approval of an individual's application and receipt of the enrollment fee required
6.4 under section 152.52, the commissioner must register the individual in the program and
6.5 issue the individual a card that permits the registered patient to cultivate, possess, transport,
6.6 and use psilocybin.

6.7 Subd. 6. **Renewal.** (a) A registered patient's registration is valid for 12 months from the
6.8 date of issuance. A registered patient who wishes to renew the registration must, at least 60
6.9 days before the registration expires, submit an application for registration renewal; written
6.10 certifications that meet the requirements in subdivision 2, paragraph (a), clauses (2) and
6.11 (3); and the fee required under section 152.52. The commissioner must approve or deny a
6.12 registered patient's renewal application within 60 days after receiving the complete
6.13 application and written certifications.

6.14 (b) A registered patient whose registration expired less than 31 days ago may renew the
6.15 registration under paragraph (a). A registered patient whose registration expired 31 or more
6.16 days ago must apply for enrollment according to subdivision 2.

6.17 Subd. 7. **Permitted acts.** (a) Subject to section 152.46, a registered patient is permitted
6.18 to:

6.19 (1) cultivate psilocybin for personal use or designate a cultivator to cultivate psilocybin
6.20 for the patient, provided the cultivation is performed according to section 152.43;

6.21 (2) possess or transport psilocybin, provided the total amount possessed or transported
6.22 does not exceed the possession limit;

6.23 (3) give for no remuneration to another registered patient psilocybin in an amount that
6.24 does not exceed the possession limit; and

6.25 (4) engage in the personal use of psilocybin according to section 152.44.

6.26 (b) Subject to section 152.46, a designated cultivator registered with the commissioner
6.27 is permitted to cultivate and possess psilocybin on behalf of registered patients, provided
6.28 the cultivation is performed according to section 152.43 and the total amount possessed
6.29 does not exceed the possession limit.

6.30 (c) Subject to section 152.46, a registered facilitator is permitted, according to section
6.31 152.44, to provide services to registered patients in preparation sessions and integration
6.32 sessions and to supervise administration sessions of registered patients.

6.33 (d) No civil or criminal penalty shall be imposed on:

- 7.1 (1) a registered patient solely for engaging in an act listed in paragraph (a);
 7.2 (2) a registered designated cultivator solely for engaging in an act listed in paragraph
 7.3 (b); or
 7.4 (3) a registered facilitator solely for engaging in an act listed in paragraph (c).

7.5 **Sec. 5. [152.43] CULTIVATION.**

7.6 **Subdivision 1. Cultivation authorized.** (a) A registered patient may:

7.7 (1) cultivate psilocybin for personal use in an amount that does not exceed the cultivation
 7.8 limit as established by the commissioner of agriculture; or

7.9 (2) if the registered patient is unable or unwilling to cultivate psilocybin, designate a
 7.10 cultivator to cultivate psilocybin on the registered patient's behalf for the registered patient's
 7.11 personal use. A registered patient may compensate a designated cultivator who cultivates
 7.12 psilocybin on the registered patient's behalf. Compensating a designated cultivator for
 7.13 cultivation under this clause does not constitute the sale or commercial distribution of
 7.14 psilocybin.

7.15 (b) Before cultivating psilocybin for a registered patient, an individual designated by a
 7.16 registered patient to cultivate psilocybin must register with the commissioner. The cultivator
 7.17 must include in the application for registration the name of the patient who designated the
 7.18 cultivator to cultivate psilocybin.

7.19 (c) A designated cultivator must:

7.20 (1) cultivate psilocybin only for registered patients in an amount that does not exceed
 7.21 the cultivation limit as established by the commissioner of agriculture; and

7.22 (2) not cultivate psilocybin for more registered patients than the maximum number
 7.23 established by the commissioner.

7.24 **Subd. 2. Secure location.** Cultivation by a registered patient or designated cultivator
 7.25 must take place at a primary residence of an individual 21 years of age or older and in an
 7.26 enclosed, locked space that is not accessible to the public or by individuals under age 21
 7.27 and the dimensions of which do not exceed 12 feet by 12 feet.

7.28 **Sec. 6. [152.44] LOCATION AND FACILITATOR; ADMINISTRATION SESSIONS.**

7.29 **Subdivision 1. Location.** A registered patient may use psilocybin in an administration
 7.30 session only:

8.1 (1) at a private residence, including the curtilage or yard of the residence; or

8.2 (2) on private property that is not generally accessible to the public, unless the property
8.3 owner prohibits the use of psilocybin on the property.

8.4 Subd. 2. **Registered facilitator.** A registered facilitator must be physically present with
8.5 a registered patient during an administration session to supervise the registered patient's use
8.6 of psilocybin and to contact emergency services if necessary during the administration
8.7 session. As a condition of supervising an administration session for a registered patient, a
8.8 registered facilitator may require the registered patient to also participate in a preparation
8.9 session and an integration session with the registered facilitator. A registered facilitator may
8.10 charge a reasonable fee for the registered facilitator's services.

8.11 Subd. 3. **Informed consent.** (a) Before a registered facilitator supervises a registered
8.12 patient's administration session, the registered facilitator must provide the registered patient
8.13 with information on the nature of psilocybin use for therapeutic purposes, what to expect
8.14 in an administration session, potential adverse effects of psilocybin use, and possible
8.15 interactions between psilocybin and other commonly used drugs.

8.16 (b) A registered patient who wishes to proceed with an administration session must sign
8.17 and date a document stating that the patient has been informed of and understands the
8.18 information provided according to paragraph (a). Registered facilitators must maintain the
8.19 signed informed consent documents for two years after receipt.

8.20 Sec. 7. **[152.45] REGISTERED FACILITATOR.**

8.21 Subdivision 1. **Registration required; qualifications.** (a) An individual must register
8.22 with the commissioner as a facilitator in order to supervise administration sessions for
8.23 registered patients and to provide registered patients with services in preparation sessions
8.24 and integration sessions. In order to register as a facilitator, an individual must:

8.25 (1) be 21 years of age or older; and

8.26 (2) demonstrate competency, in a manner determined by the commissioner, on facilitator
8.27 ethics; the safe use of psilocybin; duties of a facilitator during preparation sessions,
8.28 administration sessions, and integration sessions; and other topics as determined by the
8.29 commissioner.

8.30 (b) An individual who holds a license, registration, or certification from a health-related
8.31 licensing board as defined in section 214.01, subdivision 2; from the Office of Emergency
8.32 Medical Services; or from the commissioner authorizing the individual to practice a
8.33 health-related occupation may also serve as a registered facilitator.

9.1 Subd. 2. **Application for registration; registration renewal.** (a) An individual who
9.2 wishes to register as a facilitator must apply to the commissioner in a form and manner
9.3 specified by the commissioner.

9.4 (b) A registration issued under this section is valid for 12 months from the date of
9.5 issuance. An individual who wishes to renew the individual's registration must apply for
9.6 registration renewal, in a form and manner specified by the commissioner, at least 60 days
9.7 before the individual's registration expires. In evaluating an application for registration
9.8 renewal, the commissioner must consider any complaints reported to the commissioner
9.9 under subdivision 3 and may decline to renew an individual's registration if the commissioner
9.10 determines, based on complaints received or other evidence, that the individual did not
9.11 perform the duties of a facilitator in a safe or ethical manner. The commissioner must
9.12 approve or deny a registered facilitator's renewal application within 60 days after receiving
9.13 the facilitator's complete application.

9.14 (c) A registered facilitator whose registration expired less than 31 days ago may renew
9.15 the registration under paragraph (b). A registered facilitator whose registration expired 31
9.16 or more days ago must apply for registration according to paragraph (a), except the
9.17 commissioner must consider any complaints reported to the commissioner under subdivision
9.18 3 and may decline to register the individual if the commissioner determines, based on
9.19 complaints received or other evidence, that the individual did not perform the duties of a
9.20 facilitator in a safe or ethical manner.

9.21 (d) Individuals may apply for registration as a facilitator beginning October 1, 2026.

9.22 Subd. 3. **Complaints.** The commissioner must accept complaints from registered patients
9.23 and other interested individuals regarding a registered facilitator's failure to supervise an
9.24 administration session in a safe or ethical manner or failure to provide services in a
9.25 preparation session or an integration session in a safe or ethical manner.

9.26 Subd. 4. **List of registered facilitators.** The commissioner must post on the Department
9.27 of Health website the names of and contact information for registered facilitators.

9.28 Sec. 8. **[152.46] LIMITATIONS.**

9.29 Nothing in sections 152.40 to 152.53 permits an individual to:

9.30 (1) cultivate, engage in the personal use of, possess, or transport psilocybin if the
9.31 individual is under 21 years of age;

9.32 (2) engage in the personal use of psilocybin in a motor vehicle when the motor vehicle
9.33 is on a street or highway;

- 10.1 (3) operate a motor vehicle while under the influence of psilocybin;
- 10.2 (4) cultivate psilocybin in an amount that exceeds the cultivation limit, or possess,
- 10.3 transport, or give to another registered patient psilocybin in an amount that exceeds the
- 10.4 possession limit;
- 10.5 (5) give psilocybin to an individual who is not a registered patient or cultivate psilocybin
- 10.6 for an individual who is not a registered patient;
- 10.7 (6) sell psilocybin to an individual or engage in the commercial distribution of psilocybin;
- 10.8 (7) engage in the personal use of psilocybin in a public place;
- 10.9 (8) possess or engage in the personal use of psilocybin on the grounds of a public school,
- 10.10 as defined in section 120A.05, subdivisions 9, 11, and 13, or a charter school governed by
- 10.11 chapter 124E, including all owned, rented, or leased facilities and all vehicles that a school
- 10.12 district owns, leases, rents, contracts for, or controls;
- 10.13 (9) possess or engage in the personal use of psilocybin in a state correctional facility;
- 10.14 or
- 10.15 (10) if the individual is a registered facilitator, provide services in a preparation session
- 10.16 or integration session to an individual who is not a registered patient, supervise the
- 10.17 administration session of an individual who is not a registered patient, or provide a registered
- 10.18 patient with psilocybin for use in an administration session.

10.19 **Sec. 9. [152.47] CRIMINAL AND CIVIL PROTECTIONS.**

10.20 Subdivision 1. **Forfeiture.** Psilocybin cultivated or obtained under sections 152.40 to

10.21 152.53 and associated property are not subject to forfeiture under sections 609.531 to

10.22 609.5316.

10.23 Subd. 2. **Protections for public employees.** Notwithstanding any law to the contrary,

10.24 the commissioner, the governor of Minnesota, or an employee of any state agency may not

10.25 be held civilly or criminally liable for any injury, loss of property, personal injury, or death

10.26 caused by any act or omission while acting within the scope of office or employment under

10.27 sections 152.40 to 152.53.

10.28 Subd. 3. **Search warrant.** Federal, state, and local law enforcement authorities are

10.29 prohibited from accessing the patient registry under sections 152.40 to 152.53 except when

10.30 acting pursuant to a valid search warrant.

10.31 Subd. 4. **Evidence in criminal proceeding.** No information contained in a report,

10.32 document, or registry or obtained from a patient under sections 152.40 to 152.53 may be

11.1 admitted as evidence in a criminal proceeding unless independently obtained or in connection
11.2 with a proceeding involving a violation of sections 152.40 to 152.53. Any person who
11.3 violates this subdivision is guilty of a gross misdemeanor.

11.4 Subd. 5. **Possession of registry card or application.** The possession of a registry card
11.5 or application for enrollment in the program by an individual entitled to possess a registry
11.6 card or apply for enrollment in the program does not constitute probable cause or reasonable
11.7 suspicion, and shall not be used to support a search of the person or property of the individual
11.8 possessing the registry card or application, or otherwise subject the person or property of
11.9 the individual to inspection by any governmental agency.

11.10 Subd. 6. **Employment.** An employer must not discriminate against a registered patient,
11.11 designated cultivator, or registered facilitator in hiring, termination, or any term or condition
11.12 of employment, or otherwise penalize a registered patient, designated cultivator, or registered
11.13 facilitator based on the registered patient's, designated cultivator's, or registered facilitator's
11.14 lawful cultivation, possession, transportation, provision of services in preparation sessions
11.15 or integration sessions, supervision of administration sessions, or use of psilocybin under
11.16 sections 152.40 to 152.53, unless:

11.17 (1) the employer's failure to act would violate federal law or regulations or would cause
11.18 the employer to lose a monetary or licensing-related benefit under federal law or regulations;
11.19 or

11.20 (2) the registered patient's use of psilocybin directly impacts the registered patient's job
11.21 performance or safety requirements of the registered patient's job position.

11.22 Subd. 7. **Housing.** No landlord may refuse to lease to a registered patient or designated
11.23 cultivator or evict a registered patient or designated cultivator solely for lawfully cultivating,
11.24 possessing, or using psilocybin under sections 152.40 to 152.53, unless the landlord's failure
11.25 to do so would violate federal law or regulations or would cause the landlord to lose a
11.26 monetary or licensing-related benefit under federal law or regulations.

11.27 Subd. 8. **Education.** No school may refuse to enroll a registered patient or designated
11.28 cultivator solely for lawfully cultivating, possessing, or using psilocybin under sections
11.29 152.40 to 152.53, unless the school's failure to do so would violate federal law or regulations
11.30 or would cause the school to lose a monetary or licensing-related benefit under federal law
11.31 or regulations.

11.32 Subd. 9. **Custody; visitation; parenting time.** A registered patient, designated cultivator,
11.33 or registered facilitator must not be denied custody of a minor child or visitation rights or
11.34 parenting time with a minor child based solely on the registered patient's, designated

12.1 cultivator's, or registered facilitator's lawful cultivation, possession, transportation, provision
12.2 of services in preparation sessions or integration sessions, supervision of administration
12.3 sessions, or use of psilocybin under sections 152.40 to 152.53, unless the registered patient's,
12.4 designated cultivator's, or registered facilitator's behavior creates an unreasonable danger
12.5 to the safety of the minor as demonstrated by clear and convincing evidence.

12.6 Subd. 10. **Action for damages.** In addition to any other remedy provided by law, a
12.7 registered patient, designated cultivator, or registered facilitator who is injured by a violation
12.8 of subdivision 6, 7, 8, or 9 may bring an action for damages against a person who violates
12.9 subdivision 6, 7, 8, or 9. A person who violates subdivision 6, 7, 8, or 9 is liable to the
12.10 registered patient, designated cultivator, or registered facilitator injured by the violation for
12.11 the greater of the registered patient's, designated cultivator's, or registered facilitator's actual
12.12 damages or a civil penalty of \$100, plus reasonable attorney fees.

12.13 Sec. 10. **[152.48] VIOLATIONS.**

12.14 Subdivision 1. **Diversion by registered patient, designated cultivator, or registered**
12.15 **facilitator.** In addition to any other applicable penalty in law, a registered patient, designated
12.16 cultivator, or registered facilitator who intentionally sells or otherwise transfers psilocybin
12.17 to a person other than a registered patient is guilty of a felony punishable by imprisonment
12.18 for not more than two years or by payment of a fine of not more than \$3,000, or both.

12.19 Subd. 2. **False statement.** An individual who intentionally makes a false statement to
12.20 a law enforcement official about any fact or circumstance relating to the therapeutic use of
12.21 psilocybin to avoid arrest or prosecution is guilty of a misdemeanor punishable by
12.22 imprisonment for not more than 90 days or by payment of a fine of not more than \$1,000,
12.23 or both. The penalty is in addition to any other penalties that may apply for making a false
12.24 statement or for the possession, cultivation, or sale of psilocybin not protected by sections
12.25 152.40 to 152.53. If a person convicted of violating this subdivision is a registered patient,
12.26 designated cultivator, or registered facilitator, the person is disqualified from further
12.27 participation under the program.

12.28 Subd. 3. **Individual under 21 years of age.** An individual under 21 years of age who
12.29 cultivates, engages in the personal use of, possesses, or transports psilocybin in an amount
12.30 at or below the possession limit is guilty of a petty misdemeanor punishable by payment of
12.31 a fine of not more than \$100.

12.32 Subd. 4. **Personal use in a motor vehicle.** An individual who engages in the personal
12.33 use of psilocybin in a motor vehicle when the motor vehicle is on a street or highway is
12.34 guilty of a misdemeanor.

13.1 Subd. 5. **Personal use in a public place.** An individual who engages in the personal
 13.2 use of psilocybin in a public place is guilty of a petty misdemeanor and shall pay a fine of
 13.3 not more than \$100.

13.4 Subd. 6. **Possession or personal use at a school.** An individual who possesses or engages
 13.5 in the personal use of psilocybin on the grounds of a public school, as defined in section
 13.6 120A.05, subdivisions 9, 11, and 13, or a charter school governed by chapter 124E, including
 13.7 all owned, rented, or leased facilities and all vehicles that a school district owns, leases,
 13.8 rents, contracts for, or controls is guilty of a misdemeanor.

13.9 Sec. 11. **[152.49] PROTECTIONS FOR HEALTH CARE PRACTITIONERS AND**
 13.10 **REGISTERED FACILITATORS.**

13.11 Subdivision 1. **Health care practitioners.** The Board of Medical Practice or Board of
 13.12 Nursing must not impose civil or disciplinary penalties on, or limit or condition the practice
 13.13 of, a health care practitioner licensed by the Board of Medical Practice or Board of Nursing
 13.14 solely for certifying that an individual has a diagnosis of a qualifying medical condition
 13.15 according to section 152.42, subdivision 2, or performing health screenings or additional
 13.16 evaluations according to section 152.42, subdivision 3.

13.17 Subd. 2. **Registered facilitators.** A health-related licensing board as defined in section
 13.18 214.01, subdivision 2; the Office of Emergency Medical Services; or the commissioner
 13.19 must not impose civil or disciplinary penalties on, or limit or condition the practice of, a
 13.20 registered facilitator who also holds a license, registration, or certification from the
 13.21 health-related licensing board; Office of Emergency Medical Services; or commissioner
 13.22 solely for providing services to registered patients in preparation sessions and integration
 13.23 sessions and supervising administration sessions of registered patients, provided the services
 13.24 are provided or supervision is performed according to sections 152.40 to 152.53.

13.25 Sec. 12. **[152.50] PUBLIC EDUCATION AND HARM REDUCTION.**

13.26 Subdivision 1. **Public education program.** The commissioner must develop and
 13.27 implement a public education program that makes information available to the public on
 13.28 the responsible use of psilocybin, potential risks of using psilocybin, harm reduction strategies
 13.29 related to psilocybin use, and mental health resources related to psilocybin use.

13.30 Subd. 2. **Training programs for first responders.** The commissioner must develop
 13.31 and offer training programs for emergency medical responders, ambulance service personnel,
 13.32 peace officers, and other first responders on best practices for handling situations involving
 13.33 the use of psilocybin. The training programs must be developed and offered in coordination

14.1 with the Office of Emergency Medical Services, the Peace Officer Standards and Training
 14.2 Board, the Minnesota State Patrol, and local law enforcement agencies.

14.3 **Sec. 13. [152.51] DATA PRACTICES; ACCESS TO AND USE OF DATA.**

14.4 (a) Except for the data specified in section 152.45, subdivision 4, data submitted to the
 14.5 commissioner under section 152.42, 152.43, or 152.45:

14.6 (1) is private data on individuals as defined in section 13.02, subdivision 12, or nonpublic
 14.7 data as defined in section 13.02, subdivision 9; and

14.8 (2) may only be used to comply with chapter 13, to comply with a request from the
 14.9 legislative auditor or state auditors in the performance of official duties, and for purposes
 14.10 specified in sections 152.40 to 152.53.

14.11 (b) The data specified in paragraph (a) must not be combined or linked in any manner
 14.12 with any other list, dataset, or database, and must not be shared with any federal agency,
 14.13 federal department, or federal entity unless specifically ordered by a state or federal court.

14.14 **Sec. 14. [152.52] FEES.**

14.15 (a) The commissioner must collect an annual fee of \$..... from each patient whose
 14.16 enrollment application or renewal application is approved by the commissioner.

14.17 (b) Notwithstanding paragraph (a), if the patient provides evidence to the commissioner
 14.18 of receiving Social Security disability insurance, Supplemental Security Income, or veterans
 14.19 disability or railroad disability payments, or of being enrolled in medical assistance or
 14.20 MinnesotaCare, the commissioner must collect an annual fee of \$..... from the patient after
 14.21 approving the patient's enrollment application or renewal application.

14.22 (c) Fees collected under this section must be deposited in the state treasury and credited
 14.23 to the state government special revenue fund. The commissioner may request appropriations
 14.24 of fee revenue to distribute as grants to fund Minnesota-based research exploring psilocybin's
 14.25 effectiveness for additional conditions.

14.26 **Sec. 15. [152.53] PSYCHEDELIC MEDICINE ADVISORY COMMITTEE.**

14.27 Subdivision 1. **Establishment.** The commissioner must establish a Psychedelic Medicine
 14.28 Advisory Committee to advise the commissioner on the operation of the psilocybin
 14.29 therapeutic use program under sections 152.40 to 152.53.

14.30 Subd. 2. **Membership.** (a) The advisory committee shall consist of:

15.1 (1) ... members with knowledge or expertise regarding the therapeutic use of psilocybin
15.2 and other psychedelic medicines or regarding integration resources associated with the use
15.3 of psilocybin. The commissioner must make recommendations to the governor for members
15.4 appointed under this clause, and the governor must appoint members under this clause; and

15.5 (2) one member representing Tribal Nations in the state, appointed by the Indian Affairs
15.6 Council.

15.7 (b) Initial appointments must be made to the advisory committee by November 1, 2025.

15.8 Subd. 3. **Chairperson.** Members of the advisory committee must elect a chairperson
15.9 from among the advisory committee's members.

15.10 Subd. 4. **Terms; compensation; removal of members.** The advisory committee is
15.11 governed by section 15.059, except the advisory committee does not expire.

15.12 Subd. 5. **Meetings.** The advisory committee must meet at least four times per year or at
15.13 the call of the chairperson. The initial meeting of the advisory committee must occur by
15.14 December 1, 2025, and must be called by the commissioner.

15.15 Subd. 6. **Staff support; office space; equipment.** The commissioner must provide the
15.16 advisory committee with staff support, office space, and access to office equipment and
15.17 services.

15.18 Sec. 16. **APPROPRIATIONS.**

15.19 (a) \$..... in fiscal year 2026 and \$..... in fiscal year 2027 are appropriated from the
15.20 general fund to the commissioner of health for purposes of Minnesota Statutes, sections
15.21 152.40 to 152.53.

15.22 (b) \$..... in fiscal year 2026 and \$..... in fiscal year 2027 are appropriated from the
15.23 general fund to the commissioner of agriculture for purposes of Minnesota Statutes, section
15.24 152.41, subdivision 3.