



Regulation of Natural Medicine Centers

In response to Proposition 122 (2022) and SB23-290

10/14/2024

Agenda

- Background
- Natural Medicine Overview
- Role of Local Jurisdictions
- Decision Points
- Discussion

Background

- Colorado voters approved Proposition 122 in November 2022
 - Decriminalized five psychedelics (psilocybin, psilocin, dimethyltryptamine, ibogaine, and mescaline)
 - Required State to enact licensing scheme by late 2024
 - Prohibited Locals from banning facilities, services, and use
 - Allows Locals to regulate time, place, and manner of facilities

Background

- Governor Polis signed Senate Bill 23-290 in May 2023
 - Department of Regulatory Affairs (DORA) to regulate licensing of facilitators and services
 - Department of Revenue to regulate licensed facilities and owners/employees
 - Creates State Licensing Authority and establishes license types
 - DORA rulemaking process since May 2023
 - Licensing begins no later than December 31, 2024

Natural Medicine Overview

- Defined as psilocybin, psilocin, dimethyltryptamine (DMT), ibogaine, and mescaline
- Usage dates back thousands of years to Spain, Argentina, and Mexico
- Religious and ritual ceremonies
- Study by Johns Hopkins shows symptoms of anxiety and depression “significantly relieved” in cancer patients and veterans with PTSD
- Alternative to daily medications of SSRIs, anti-depressants, and other mental health medications with studies showing higher effects

Natural Medicine Overview

- Person 21+ can be a licensed “Facilitator”
 - Requirements for obtaining license set by DORA
 - Administer natural medicine services to person 21+ “participant”
 - Must conduct a safety screening prior to administration session
 - Administration session is administered at a Healing Center
 - Integration session conducted to maximize benefits of Administration session
- Healing Center
 - Location where Facilitator and participant conduct sessions
 - Natural medicines do not leave Healing Centers
 - Participants must have a discharge plan or transportation arranged

Natural Medicine Overview

- Other license types and facility types:
 - Clinical facilitator – facilitator also possess another license for diagnosis and treatment of behavioral/mental health and physical health conditions
 - Distinguished Educator – individuals licensed in other jurisdictions or have extensive professional achievement in natural medicine
 - Training licensee – individual training for Facilitator or Clinical facilitator
- Cultivation license – natural medicine grown, harvested, and processed
- Manufacturing license – manufacturers natural medicine into products
- Testing – performs testing and research on natural medicine products

Role of Local Jurisdictions

- Cannot prohibit natural medicine centers or administration of natural medicine
- Cannot adopt “unreasonable” regulations
- Can regulate time, place, and manner
- Land development code regulates place and manner
- Municipal code regulates time

Staff Recommendations

- Place

- CRS 44-50-302 prohibits Healing Centers within 1000ft of a childcare center, preschool, elementary, middle, or high school but Local can remove/reduce
- Staff recommends amending LDC to add Healing Centers similar to medical offices, dental offices, substance abuse treatment facilities, etc. in C-1, C-2, C-3, MU-1, and I-1
- Staff recommends amending LDC to add Natural Medicine Cultivation, Manufacturer, and Testing similar to marijuana licenses of the same type in I-1, I-1S, I-2, and I-3

- Time

- Staff recommends amending Code to limit hours from 8:00 AM to 8:00 PM
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Decision Points

- Does Council wish to regulate Natural Medicine at all?
- If so, does Council agree with staff's recommendations?
- Does Council wish to remove the 1000ft setback requirement?



Discussion