

SENATE AMENDMENTS TO SENATE BILL 303

By COMMITTEE ON HEALTH CARE

April 11

1 On page 1 of the printed bill, delete lines 5 through 30 and delete pages 2 through 4 and insert:

2 **“SECTION 1. Sections 2 and 3 of this 2023 Act are added to and made a part of ORS**
3 **475A.210 to 475A.722.**

4 **“SECTION 2. (1) As used in this section, ‘adverse behavioral reaction’ and ‘adverse**
5 **medical reaction’ have the meanings given those terms by rule by the Oregon Health Au-**
6 **thority.**

7 **“(2) A psilocybin service center operator that holds a license issued under ORS 475A.305**
8 **shall:**

9 **“(a) Collect and maintain the following information, in addition to the information re-**
10 **quired to complete a client information form described in ORS 475A.350:**

11 **“(A) The race, ethnicity, preferred spoken and written languages, disability status, sexual**
12 **orientation, gender identity, income, age and county of residence of each client; and**

13 **“(B) The reasons for which a client requests psilocybin services;**

14 **“(b) Compile and maintain the following information that pertains to the three-month**
15 **period immediately preceding a quarterly submission under subsection (4) of this section:**

16 **“(A) The number of clients served;**

17 **“(B) The number of individual administration sessions provided;**

18 **“(C) The number of group administration sessions provided;**

19 **“(D) The number of individuals to whom the psilocybin service center denied psilocybin**
20 **services and the reasons for which psilocybin services were denied;**

21 **“(E) The number and severity of:**

22 **“(i) Adverse behavioral reactions experienced by clients, of which the psilocybin service**
23 **center operator is aware; and**

24 **“(ii) Adverse medical reactions experienced by clients, of which the psilocybin service**
25 **center operator is aware; and**

26 **“(F) Any additional information required by the authority by rule as described in sub-**
27 **section (7) of this section; and**

28 **“(c) Compute, for the period described in paragraph (b) of this subsection, and maintain**
29 **the following information:**

30 **“(A) The average number of times per client that psilocybin services were received;**

31 **“(B) The average number of clients participating in each group administration session;**
32 **and**

33 **“(C) The average dose of psilocybin per client per administration session.**

34 **“(3) Pursuant to rules adopted by the authority, a client may request that a psilocybin**
35 **service center operator not submit to the authority information provided by the client as**

1 described in subsection (2) of this section.

2 “(4) Subject to subsection (3) of this section, a psilocybin service center operator shall
3 aggregate and submit, in a manner that protects the personally identifiable information of
4 a client or individual from whom information is collected, to the authority on a quarterly
5 basis the information described in subsection (2) of this section. The authority may exempt
6 from the submission requirement information that the authority determines cannot be ade-
7 quately deidentified.

8 “(5) The authority shall submit the information received under subsection (4) of this
9 section to the Oregon Health and Science University for the purpose of enabling the evalu-
10 ation of outcomes of psilocybin services provided under ORS 475A.210 to 475A.722.

11 “(6)(a) Except as otherwise required by law, the information collected, maintained and
12 reported under this section is exempt from disclosure under ORS 192.311 to 192.478.

13 “(b) Information collected, computed, maintained or reported under this section may not
14 be sold.

15 “(7) The authority may adopt rules to carry out this section. Rules adopted under this
16 section may include rules to require a psilocybin service center operator to collect and sub-
17 mit to the authority information in addition to that described in subsection (2) of this section
18 that, in the discretion of the authority, would be beneficial to understanding the outcomes
19 of psilocybin services provided under ORS 475A.210 to 475A.722.

20 “**SECTION 3.** (1) The Oregon Health Authority shall collect and compile data on:

21 “(a) The total number of licenses issued under ORS 475A.290, 475A.305, 475A.325 and
22 475A.594, compiled by each license type;

23 “(b) The total number of applications submitted for licenses issued under ORS 475A.290,
24 475A.305, 475A.325 and 475A.594 and the reasons for any denials of licensure;

25 “(c) The race, ethnicity, preferred spoken and written languages, sexual orientation and
26 gender identity of each applicant and each licensee; and

27 “(d) The total number of disciplinary actions taken by the authority against licensees,
28 compiled by license type and action taken.

29 “(2) The authority shall aggregate and annually make publicly available the data de-
30 scribed in subsection (1)(a) to (c) of this section.

31 “(3) The authority may adopt rules to carry out this section.

32 “**SECTION 4.** ORS 475A.450 is amended to read:

33 “475A.450. Confidentiality of information and communications by clients; exceptions. A
34 psilocybin service center operator, a psilocybin service facilitator[,] or any employee of a psilocybin
35 service center operator or psilocybin service facilitator may not disclose any information that may
36 be used to identify a client, or any communication made by a client during the course of providing
37 psilocybin services or selling psilocybin products to the client, except **when**:

38 “(1) [*When*] The client or a person authorized to act on behalf of the client gives consent to the
39 disclosure;

40 “(2) [*When*] The client initiates legal action or makes a complaint against the psilocybin service
41 center operator, the psilocybin service facilitator[,] or the employee;

42 “(3) [*When*] The communication reveals the intent to commit a crime harmful to the client or
43 others;

44 “(4) [*When*] The communication reveals that a minor may have been a victim of a crime or
45 physical, sexual or emotional abuse or neglect; [*or*]

1 “(5) [*When*] Responding to an inquiry by the Oregon Health Authority made during the course
2 of an investigation into the conduct of the psilocybin service center operator, the psilocybin service
3 facilitator[,] or the employee under ORS 475A.210 to 475A.722[.]; or

4 **“(6) Reporting to the authority the data described in section 2 of this 2023 Act.**

5 **“SECTION 5. A psilocybin service center operator and the Oregon Health Authority shall**
6 **first submit the information and data described in sections 2 and 3 of this 2023 Act not later**
7 **than the end of the quarter that begins on January 1, 2025.**

8 **“SECTION 6. (1) Sections 2 and 3 of this 2023 Act and the amendments to ORS 475A.450**
9 **by section 4 of this 2023 Act become operative on January 1, 2025.**

10 **“(2) The Oregon Health Authority may take any action before the operative date specified**
11 **in subsection (1) of this section that is necessary to enable the authority to exercise, on and**
12 **after the operative date specified in subsection (1) of this section, all of the duties, functions**
13 **and powers conferred on the authority by sections 2 and 3 of this 2023 Act and the amend-**
14 **ments to ORS 475A.450 by section 4 of this 2023 Act.**

15 **“SECTION 7. This 2023 Act takes effect on the 91st day after the date on which the 2023**
16 **regular session of the Eighty-second Legislative Assembly adjourns sine die.”.**