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FIRST REPRINT

S.B. 242

SENATE BILL NO. 242—SENATORS NGUYEN, DONATE; FLORES,
HANSEN, D. HARRIS, OHRENSCHALL AND STONE

MARCH 9, 2023

JOINT SPONSORS: ASSEMBLYMEN CARTER AND MARZOLA

Referred to Committee on Health and Human Services

SUMMARY—Requires the Department of Health and Human Services to establish the Psychedelic Medicines Working Group. (BDR S-39)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to controlled substances; requiring the Department of Health and Human Services to establish the Psychedelic Medicines Working Group to study certain issues relating to the therapeutic use of entheogens during the 2023-2024 interim; prescribing the membership and duties of the Working Group; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 This bill requires the Department of Health and Human Services to establish
2 the Psychedelic Medicines Working Group to study certain issues relating to the
3 therapeutic use of entheogens during the 2023-2024 interim. This bill defines
4 “entheogen” to include, without limitation, psilocybin and psilocin. This bill also:
5 (1) prescribes the membership and duties of the Working Group; and (2) requires
6 the Department of Health and Human Services to submit a written report describing
7 the activities, findings, conclusions and recommendations of the Working Group
8 for transmittal to the 83rd Session of the Legislature.

1 WHEREAS, Nevada has a high prevalence of adults with
2 behavioral health conditions; and

3 WHEREAS, Studies conducted by nationally and internationally
4 recognized medical institutions indicate that psilocybin has shown



1 efficacy and safety in the treatment of a variety of behavioral health
2 conditions, including, without limitation, addiction, treatment-
3 resistant depression, major depressive disorder, post-traumatic stress
4 disorder and psychological distress relating to the end of life; and

5 WHEREAS, The United States Food and Drug Administration
6 has determined that preliminary clinical evidence indicates that
7 psilocybin may demonstrate substantial improvement over available
8 therapies for treatment-resistant depression and major depressive
9 disorder and has accordingly granted Breakthrough Therapy
10 designation for treatment that uses psilocybin as a therapy for
11 treatment-resistant depression and major depressive disorder; and

12 WHEREAS, Numerous state and local lawmaking bodies
13 throughout the United States have already enacted or are currently
14 considering legislation decriminalizing certain conduct by certain
15 persons relating to psilocybin and psilocin; now, therefore

16
17 THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
18 SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:
19

20 **Section 1.** (Deleted by amendment.)

21 **Sec. 2.** (Deleted by amendment.)

22 **Sec. 3.** (Deleted by amendment.)

23 **Sec. 3.5.** 1. The Department of Health and Human Services
24 shall establish the Psychedelic Medicines Working Group to study
25 certain issues relating to the therapeutic use of entheogens during
26 the 2023-2024 interim. The Working Group must consist of:

27 (a) The Director of the Department of Health and Human
28 Services or his or her designee;

29 (b) The Attorney General or his or her designee;

30 (c) The Director of the Department of Veterans Services or his
31 or her designee;

32 (d) The President of the State Board of Pharmacy or his or her
33 designee;

34 (e) One member appointed by the Majority Leader of the
35 Senate;

36 (f) One member appointed by the Minority Leader of the Senate;

37 (g) One member appointed by the Speaker of the Assembly;

38 (h) One member appointed by the Minority Leader of the
39 Assembly; and

40 (i) The following members appointed by the Governor, each of
41 whom must be a bona fide resident of this State for not less than 1
42 year immediately preceding his or her appointment:

43 (1) One member who has received an honorable discharge
44 from the Armed Forces of the United States and who has experience
45 with the use of entheogens to address post-traumatic stress disorder;



1 (2) One member who is a psychiatrist, or a psychologist with
2 clinical experience, and who:

3 (I) Is licensed to practice in this State; and

4 (II) Has experience treating patients who have an alcohol
5 or other substance use disorder;

6 (3) One member who has experience treating post-traumatic
7 stress disorder in a clinical setting;

8 (4) One member who has experience researching the
9 therapeutic use of entheogens pursuant to a license issued by the
10 Drug Enforcement Administration of the United States Department
11 of Justice;

12 (5) One member who is a representative of a tribal
13 government, as defined in NRS 239C.105, in this State;

14 (6) One member who is a representative of an organization
15 that advocates for and provides education to the public regarding the
16 therapeutic use of entheogens; and

17 (7) One member who is a representative of a law
18 enforcement agency in this State.

19 2. The Working Group shall, during the 2023-2024 interim:

20 (a) Examine various entheogens to determine which entheogens
21 may be beneficial for therapeutic use in reducing suicidal ideation
22 and improving mental health, including, without limitation, through
23 the use of entheogens in the treatment of post-traumatic stress
24 disorder, substance use disorder, major depressive disorder or
25 psychological distress relating to the end of life;

26 (b) Review federal, state and local laws and regulations
27 concerning the therapeutic use of entheogens and identify any
28 revisions to the laws and regulations of this State that may be
29 necessary to enable entheogens to be used for therapeutic purposes
30 in this State;

31 (c) Review existing and ongoing research on the therapeutic use
32 of entheogens; and

33 (d) Develop a strategic, measurable and actionable plan to allow
34 access to safe and affordable entheogens so that such entheogens
35 may be used for therapeutic purposes.

36 3. The Director of the Department of Health and Human
37 Services shall serve as Chair of the Working Group. The Attorney
38 General or his or her designee shall serve as Vice Chair of the
39 Working Group.

40 4. A majority of the members of the Working Group
41 constitutes a quorum for the transaction of business, and a majority
42 of those members present at any meeting is sufficient for any
43 official action taken by the Working Group.

44 5. The Chair of the Working Group may appoint
45 subcommittees composed of members of the public who have



1 relevant experience or knowledge to consider specific issues or
2 other matters relating to the therapeutic use of entheogens.

3 6. Each member of the Working Group:

4 (a) Serves without compensation; and

5 (b) While engaged in the business of the Working Group, is
6 entitled to receive the per diem allowance and travel expenses
7 provided for state officers and employees generally.

8 7. The Department of Health and Human Services shall
9 provide the Working Group with such administrative support as is
10 necessary to assist the Working Group in carrying out its duties
11 pursuant to this section.

12 8. The Department of Health and Human Services shall, on or
13 before December 31, 2024, prepare and submit a written report
14 describing the activities, findings, conclusions and
15 recommendations of the Working Group to the Director of the
16 Legislative Counsel Bureau for transmittal to the 83rd Session of the
17 Legislature.

18 9. As used in this section, "entheogen" includes, without
19 limitation, psilocybin and psilocin.

20 **Sec. 4.** This act becomes effective upon passage and approval.

