

Representative James A. Dunnigan proposes the following substitute bill:

MEDICAL AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kirk A. Cullimore

House Sponsor: James A. Dunnigan

LONG TITLE

General Description:

This bill creates a pilot program.

Highlighted Provisions:

This bill:

- defines terms; and
- authorizes a healthcare system to create a pilot program for certain drugs.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

63I-1-258, as last amended by Laws of Utah 2023, Chapter 303

ENACTS:

58-37-3.5, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **58-37-3.5** is enacted to read:



58-37-3.5. Drugs for behavioral health treatment.

(1) As used in this section:

(a) "Drug" means any form of psilocybin or methylenedioxymethamphetamine that is in federal Food and Drug Administration Phase 3 testing for an investigational drug described in 21 C.F.R. Part 312.

(b) "Healthcare system" means:

(i) a privately-owned, non-profit, vertically-integrated healthcare system that operates at least 15 licensed hospitals in the state; or

(ii) a health care system closely affiliated with an institution of higher education described in Section [53B-2-101](#).

(2) A healthcare system may develop a behavioral health treatment program that includes a treatment based on a drug that the health system determines is supported by a broad collection of scientific and medical research.

(3) A healthcare system described in Subsection (2):

(a) shall ensure that a drug used under the exclusive authority of this section is used by a patient only under the direct supervision and control of the healthcare system and the healthcare system's health care providers who are licensed under this title; and

(b) may not provide treatments that are authorized exclusively under this section to an individual who is not at least 18 years old.

(4) Before July 1, 2026, a healthcare system that creates a behavioral health treatment program under this section shall provide a written report to the Health and Human Services Interim Committee regarding:

(a) drugs used;

(b) health outcomes of patients;

(c) side effects of any drugs used; and

(d) any other information necessary for the Legislature to evaluate the medicinal value of any drugs.

(5) An individual or entity that complies with this section when using, distributing, possessing, administering, or supervising the use of, a drug is not guilty of a violation of this title.

Section 2. Section **63I-1-258** is amended to read:

63I-1-258. Repeal dates: Title 58.

(1) Section [58-3a-201](#), which creates the Architects Licensing Board, is repealed July 1, 2026.

(2) Title 58, Chapter 13, Health Care Providers Immunity from Liability Act, is repealed July 1, 2026.

(3) Title 58, Chapter 15, Health Facility Administrator Act, is repealed July 1, 2025.

(4) Title 58, Chapter 20b, Environmental Health Scientist Act, is repealed July 1, 2028.

(5) Section [58-37-3.5](#) is repealed July 1, 2027.

~~[(5)]~~ (6) Subsection [58-37-6\(7\)\(f\)\(iii\)](#), relating to the seven-day opiate supply restriction, is repealed July 1, 2032, and the Office of Legislative Research and General Counsel is authorized to renumber the remaining subsections accordingly.

~~[(6)]~~ (7) Title 58, Chapter 40, Recreational Therapy Practice Act, is repealed July 1, 2033.

~~[(7)]~~ (8) Title 58, Chapter 41, Speech-Language Pathology and Audiology Licensing Act, is repealed July 1, 2029.

~~[(8)]~~ (9) Title 58, Chapter 42a, Occupational Therapy Practice Act, is repealed July 1, 2025.

~~[(9)]~~ (10) Title 58, Chapter 46a, Hearing Instrument Specialist Licensing Act, is repealed July 1, 2033.

~~[(10)]~~ (11) Title 58, Chapter 47b, Massage Therapy Practice Act, is repealed July 1, 2024.

~~[(11)]~~ (12) Subsection [58-55-201\(2\)](#), which creates the Alarm System and Security Licensing Advisory Board, is repealed July 1, 2027.

~~[(12)]~~ (13) Subsection [58-60-405\(3\)](#), regarding certain educational qualifications for licensure and reporting, is repealed July 1, 2032.

~~[(13)]~~ (14) Title 58, Chapter 61, Part 7, Behavior Analyst Licensing Act, is repealed July 1, 2026.

~~[(14)]~~ (15) Title 58, Chapter 72, Acupuncture Licensing Act, is repealed July 1, 2027.

Section 3. Effective date.

This bill takes effect on May 1, 2024.