



Introducing the Natural Medicine Law Committee

BY SIET MILNE-WRIGHT

In a groundbreaking move, Colorado voters ratified Proposition 122 in the autumn of 2022, heralding the decriminalization of psilocybin mushrooms and other natural medicine substances, under the Colorado Natural Medicine Health Act of 2022 (NMHA). This pivotal legislation not only decriminalized statutorily defined natural medicine but also laid down a regulated framework for the lawful cultivation, processing, and acquisition of psilocybin products.¹ This encompassed personal use or consumption at licensed healing centers under the supervision of trained facilitators.

Bolstered by this milestone, the Colorado General Assembly ushered in Senate Bill 290 during the 2023 legislative session, furnishing an additional legislative scaffold for the execution of the NMHA. Ongoing administrative rulemaking endeavors are poised to craft regulations governing facilitators and healing centers, and other license types, with the window for license applications slated to open in late 2024 or early 2025.

These legislative strides bear extensive ramifications, authorizing novel categories of economic activity and professional licensing. As the second state behind Oregon to enact laws decriminalizing and regulating natural medicine, Colorado is primed to spearhead the development of laws and optimal practices in this realm, echoing the success of the legal cannabis industry over the past decade. Oregon's soft launch of legalized mushrooms over the last two years has created an opportunity for Colorado to once again be the national benchmark, as psychedelic regulations are speculated to roll out in other states. Given the swift evolution of the legal and economic milieu surrounding natural medicine, it is imperative for Colorado residents to have access to adept and well-informed counsel as they traverse this transformative legal landscape.

Recognizing this critical necessity for expertise and guidance, CBA members have taken proactive strides by establishing the Natural Medicine Law Committee. This committee endeavors to address the intricate issues stemming from the decriminalization and regulation of natural medicine, serving as a conduit for stakeholders to contribute to the conscientious integration of substances covered in the NMHA.

KEY INITIATIVES OF THE NATURAL MEDICINE LAW COMMITTEE

- ✓ Educational programming
- ✓ Networking events
- ✓ Internship opportunities
- ✓ Ethics guidance and development
- ✓ Social equity, diversity, and inclusion

Mission and Objectives

The primary mission of the Natural Medicine Law Committee is to propel the integration of substances delineated in the NMHA within a legal and regulated framework. These substances encompass psilocybin, psilocin, mescaline, ibogaine, and dimethyltryptamine, collectively referred to as "natural medicine." The mission is to convene stakeholders and attorneys licensed in Colorado to furnish education, support, and guidance while advocating for enhanced practices and ethical standards within the natural medicine landscape.

The committee aspires to contribute to the emergence of a well-regulated, compassionate, and equitable landscape, fostering an environment where the potential medical, health, and spiritual benefits of these substances can be safely and legally realized. To achieve these objectives, the committee plans to undertake various initiatives, including educational programming, networking events, internship opportunities, ethics guidance and development, and a steadfast emphasis on equity and inclusion.

Membership and Governance

Eligibility for committee membership extends to CBA members, with monthly meetings held to deliberate pertinent issues. The committee is overseen by a board comprising CBA members, with Lizzie Fanckboner and Lauren Devine serving as co-chairs.


During the January committee meeting, committee members convened to deliberate

on topics such as the personal use of natural medicine and qualifications for administration under current legislation. Rulemaking periods were slated to commence in February and extend through the summer, with the Department of Revenue and Department of Regulatory Agencies (DORA) soliciting public comment on these regulations.

"As attorneys experienced in this field, our contributions in these discussions help us elucidate the crucial topics," said Fanckboner. "While there may be areas of disagreement, fostering informed rulemaking is paramount to addressing all aspects comprehensively."

With Colorado positioned to blaze yet another trail in an emerging field, the committee acknowledges the pressing nature of this multifaceted issue. The formation of this committee is both timely and indispensable in guiding the nation through uncharted territories.

"People are more likely to become interested in this issue after services are already underway," said committee member Adam Foster, "but it's imperative to submit our comments early, as these comments inform how DORA drafts the rules."

Should you wish to delve further into involvement with this committee, please contact Jess Ham at jham@cobar.org or visit <https://www.cobar.org/For-Members/Committees> for more information. 

NOTE

1. Psilocybin is commonly found in certain species of psychoactive mushrooms.

