



Drugs for Behavioral Health Treatment

Sunset Overview

Purpose

During the 2024 General Session, [SB 266, Medical Amendments](#), authorized certain healthcare systems to develop a behavioral health treatment program that include treatments based on psilocybin or methylenedioxymethamphetamine, both of which are in Phase 3 testing with the federal Food and Drug Administration. The program includes several parameters, including that the patient must be under the direct supervision and control of the healthcare system when the drug is administered and that treatment is limited to individuals age 18 or older.

There is a statutory reporting requirement for healthcare systems that develop a behavioral health treatment program in accordance with statute. These healthcare systems must report to the Health and Human Services Interim Committee on the programs they develop before July 1, 2026.

To date, the Health and Human Services Interim Committee has not received a report regarding the creation of a behavioral health treatment program under UCA [58-37-309](#) (formerly UCA 58-37-3.5).

Current Committee/Program Funding*

FY 26 Funding Appropriated/Available under the purview of the program	FY 27 Funding Appropriated/Available under the purview of the program
N/A	N/A

** Committee/Program Funding information provided by the Department of Health and Human Services and the Division of Occupational and Professional Licensing.*

Current Sunset Date

July 1, 2027 (Utah Code Section [63I-1-258](#))

Sections of Code that Sunset

- [58-37-309](#)

~~58-37-309. 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;~~

~~(ii) a health care system closely affiliated with an institution of higher education listed in Section 53H-1-102; or~~

~~(iii) a health care system closely affiliated with a private postsecondary educational institution as defined in Section 53H-1-101.~~



~~(2) A healthcare system may develop a behavioral health treatment program that includes a treatment based on a drug that the healthcare 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.~~