

Effective 5/6/2026

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.

Renumbered and Amended by Chapter 362, 2026 General Session