

**Second Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 26-0782.02 Chelsea Princell x4335

**HOUSE BILL 26-1325**

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**HOUSE SPONSORSHIP**

**Caldwell and Feret,**

**SENATE SPONSORSHIP**

**Ball,**

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**House Committees**

Health & Human Services  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING NATURAL MEDICINE.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill establishes the ibogaine research pilot program (pilot program) in the behavioral health administration (BHA) to research the safety and effectiveness of using ibogaine to treat mental health conditions and substance use disorders.

The bill requires the BHA to establish a committee to review pilot program site applications and make recommendations to the BHA on which applicants to accept. The BHA may select up to 5 ibogaine pilot sites.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing law.  
Dashes through the words or numbers indicate deletions from existing law.

The bill allows the BHA to seek, accept, and expend gifts, grants, and donations and establishes the ibogaine research pilot program cash fund (cash fund). Money from the cash fund may be used to administer the pilot program and award grants to the selected ibogaine pilot sites to help with financing needs.

The bill allows the state licensing authority for natural medicine or natural medicine product (state licensing authority) to adopt rules related to the administration, manufacturing, and use of ibogaine.

Under current law, the division of natural medicine advisory board consists of 15 voting members; 8 of whom must have general expertise and experience related to natural medicine and 7 of whom must have specialized expertise and experience in various areas of natural medicine. The bill amends the expertise and experience requirements to apply equally to all 15 voting members.

The bill adds that a facilitator of natural medicine services is not liable for a physical or psychological injury that a participant may experience as a result of the facilitator's performance or supervision of the natural medicine services that a participant receives, unless the injury is the result of the facilitator's intentional misconduct, gross negligence, or a deviation from the recognized standard of care.

The bill sets requirements for how the state licensing authority must prioritize reviewing applications for licensure to facilitate natural medicine services and allows the state licensing authority to set different licensing fees depending on the type of natural medicine the applicant is seeking licensure for.

The bill allows the state licensing authority to accept gifts, grants, and donations from public or private sources and requires gifts, grants, or donations received to be deposited in the regulated natural medicine division cash fund.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2           **SECTION 1. Legislative declaration.** (1) The general assembly  
3 finds and declares that:

4           (a) Colorado is facing a severe and worsening mental health crisis  
5 due to high rates of mental health conditions and substance use disorders,  
6 including opioid use disorder;

7           (b) Existing treatment approaches for treating mental health  
8 conditions and substance use disorders are often inadequate for long-term

1 remission and recovery, necessitating the exploration of innovative  
2 options;

3 (c) Ibogaine is a psychoactive indole alkaloid derived from the  
4 root bark of the tabernanthe iboga plant and other plants, such as the  
5 voacanga africana plant, that have shown significant potential as  
6 life-saving treatment options for substance use disorders and mental  
7 health conditions;

8 (d) A carefully regulated, medically supervised, and therapeutic  
9 framework for administering ibogaine is necessary to make ibogaine  
10 accessible, facilitate rigorous research, and ensure patient safety;

11 (e) The mental health and well-being of veterans is a priority of  
12 the general assembly, and ibogaine treatment has shown promise in  
13 treating severe service-related post-traumatic stress disorder and other  
14 mental health conditions related to combat deployments; and

15 (f) Establishing a research pilot program to explore the therapeutic  
16 uses of ibogaine, better understand potential risks of ibogaine use, and lay  
17 the groundwork for a future comprehensive regulatory program is  
18 necessary to find additional treatment options for people suffering from  
19 a mental health condition or a substance use disorder.

20 **SECTION 2.** In Colorado Revised Statutes, **add 27-60-207** as  
21 follows:

22 **27-60-207. Ibogaine research pilot program - creation - federal**  
23 **approval - fund - rules - reporting - definitions - repeal.**

24 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
25 REQUIRES:

26 (a) "BENEFIT-SHARING PLAN" MEANS AN ARRANGEMENT WITH  
27 INDIGENOUS COMMUNITIES TRADITIONALLY CONNECTED TO THE USE OF

1 IBOGAINÉ OR IBOGA THAT IS INTENDED TO SHARE IN THE BENEFITS THAT  
2 ARISE FROM THE RESEARCH, THERAPEUTIC USE, OR COMMERCIALIZATION  
3 OF IBOGAINÉ OR IBOGA. BENEFITS MAY INCLUDE:

- 4 (I) FINANCIAL BENEFIT SHARING;
- 5 (II) COLLABORATIVE RESEARCH OR DATA SHARING;
- 6 (III) CONSERVATION SUPPORT FOR PLANT SPECIES AND HABITATS;
- 7 (IV) COMMUNITY-IDENTIFIED DEVELOPMENT PRIORITIES;
- 8 (V) CULTURAL OR EDUCATIONAL EXCHANGES; AND
- 9 (VI) UTILIZING A SOURCE FOR IBOGAINÉ THAT ENGAGES IN  
10 BENEFIT-SHARING AND ETHICAL AND SUSTAINABLE CULTIVATION  
11 PRACTICES.

12 (b) "FUND" MEANS THE IBOGAINÉ RESEARCH PILOT PROGRAM CASH  
13 FUND CREATED IN SUBSECTION (10) OF THIS SECTION.

14 (c) "IBOGAINÉ PILOT SITE" MEANS A FACILITATION SITE SELECTED  
15 AND AUTHORIZED BY THE BHA TO ADMINISTER THE PILOT PROGRAM.

16 (d) "PILOT PROGRAM" MEANS THE IBOGAINÉ RESEARCH PILOT  
17 PROGRAM ESTABLISHED IN SUBSECTION (2) OF THIS SECTION.

18 (2) THERE IS ESTABLISHED IN THE BHA THE IBOGAINÉ RESEARCH  
19 PILOT PROGRAM FOR THE PURPOSE OF SUPPORTING RESEARCH ON THE  
20 SAFETY AND EFFECTIVENESS OF USING IBOGAINÉ TO TREAT MENTAL  
21 HEALTH CONDITIONS AND SUBSTANCE USE DISORDERS.

22 (3) THE BHA SHALL OPERATE THE PILOT PROGRAM. IN OPERATING  
23 THE PILOT PROGRAM, THE BHA:

- 24 (a) MAY APPROVE UP TO FIVE IBOGAINÉ PILOT SITES;
- 25 (b) MAY REQUIRE A MEMORANDUM OF UNDERSTANDING WITH  
26 EACH PILOT SITE TO ENSURE PROPER ADMINISTRATION OF THE PILOT  
27 PROGRAM;

1 (c) IN PARTNERSHIP WITH THE IBOGAINES PILOT SITES, AND IN  
2 COORDINATION WITH OTHER APPROPRIATE STATE AGENCIES, MAY SEEK  
3 FEDERAL AUTHORIZATION PURSUANT TO 21 U.S.C. SEC. 872(e) OR OTHER  
4 APPLICABLE FEDERAL LAW FOR PURPOSES OF EXPANDING OR ADVANCING  
5 IBOGAINES RESEARCH EFFORTS;

6 (d) SHALL ASSIST THE IBOGAINES PILOT SITES TO COMPLETE AND  
7 SUBMIT AN INVESTIGATIONAL NEW DRUG APPLICATION, OR REVISE AND  
8 EXPAND UPON AN EXISTING INVESTIGATIONAL NEW DRUG APPLICATION  
9 WITH THE UNITED STATES FOOD AND DRUG ADMINISTRATION IN  
10 ACCORDANCE WITH 21 CFR PART 312;

11 (e) SHALL CONSIDER WHETHER TO OBTAIN FEDERAL RESEARCH  
12 PROGRAM STATUS UNDER 21 U.S.C. SEC. 872 OR OTHER APPLICABLE  
13 FEDERAL LAW FOR THE PURPOSES OF EXPANDING OR ADVANCING  
14 RESEARCH EFFORTS OF THE PILOT SITES;

15 (f) MAY NEGOTIATE A MEMORANDUM OF UNDERSTANDING WITH  
16 THE UNITED STATES DRUG ENFORCEMENT ADMINISTRATION, UNITED  
17 STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES  
18 FOOD AND DRUG ADMINISTRATION, UNITED STATES ATTORNEY GENERAL,  
19 OR ANY OTHER APPROPRIATE FEDERAL AGENCY, AS NECESSARY TO ENSURE  
20 FEDERAL COMPLIANCE AND PROPER ADMINISTRATION OF THE PILOT  
21 PROGRAM;

22 (g) MAY CONTRACT WITH INDIVIDUALS WITH EXPERTISE IN  
23 BEHAVIORAL HEALTH, NURSING, RESEARCHING A SCHEDULE I CONTROLLED  
24 SUBSTANCE, DRUG DEVELOPMENT, INSTITUTIONAL REVIEW BOARD AND  
25 UNITED STATES FOOD AND DRUG ADMINISTRATION REGULATORY  
26 COMPLIANCE, AND PHYSICIAN CONSULTATION SERVICES TO ASSIST IN THE  
27 ADMINISTRATION OF THE PILOT PROGRAM;

1 (h) MAY ASSIST IBOGAINÉ PILOT SITES WITH FUNDING  
2 OPPORTUNITIES, INCLUDING IDENTIFYING AND APPLYING FOR STATE,  
3 FEDERAL, OR PRIVATE GRANTS; ■

4 (i) MAY AWARD GRANTS TO SELECTED IBOGAINÉ PILOT SITES TO  
5 ASSIST WITH OPERATIONAL COSTS; AND

6 (j) MAY COLLABORATE AND ENTER INTO AGREEMENTS WITH  
7 OTHER STATES, STATE AGENCIES, FEDERALLY RECOGNIZED TRIBES, AND  
8 PUBLIC OR PRIVATE ENTITIES TO PARTICIPATE IN MULTI-STATE CONSORTIA  
9 OR SIMILAR EFFORTS, INCLUDING THE SHARING OF DATA, FUNDING,  
10 RESEARCH, CLINICAL PROTOCOLS, AND REGULATORY BEST PRACTICES  
11 RELATED TO IBOGAINÉ AND IBOGAINÉ-RELATED THERAPIES.

12 (4) (a) THE BHA SHALL ESTABLISH A PROCESS TO SOLICIT AND  
13 SELECT IBOGAINÉ PILOT SITES.

14 (b) THE BHA SHALL ESTABLISH A PILOT PROPOSAL REVIEW  
15 COMMITTEE TO REVIEW APPLICATIONS RECEIVED FROM THE SOLICITATION  
16 PROCESS REQUIRED IN SUBSECTION (4)(a) OF THIS SECTION AND MAKE A  
17 RECOMMENDATION TO THE BHA ON THE SELECTION OR DENIAL OF EACH  
18 APPLICATION. THE BHA SHALL NOTIFY EACH APPLICANT OF THE  
19 SELECTION DECISION WITHIN NINETY DAYS AFTER THE APPLICATION  
20 DEADLINE SET BY THE BHA.

21 (5) TO BE ELIGIBLE AS AN IBOGAINÉ PILOT SITE, AN APPLICANT  
22 MUST:

23 (a) DEMONSTRATE AN INTENT TO PURSUE THE FEDERAL APPROVAL  
24 TO OPERATE AN IBOGAINÉ PILOT SITE TO STUDY SAFETY AND TREATMENT  
25 EFFECTIVENESS OF THE USE OF IBOGAINÉ TO TREAT MENTAL HEALTH  
26 CONDITIONS AND SUBSTANCE USE DISORDERS; AND

27 (b) ESTABLISH A BENEFIT-SHARING PLAN, WHICH MAY BE

1 DEVELOPED IN CONSULTATION WITH INDIGENOUS COMMUNITIES OR THEIR  
2 RECOGNIZED GOVERNING INSTITUTIONS TRADITIONALLY CONNECTED TO  
3 IBOGAINES OR IBOGA, THAT DIRECTLY BENEFITS THOSE COMMUNITIES AND  
4 SHARES IN THE BENEFITS ARISING FROM RESEARCH, THERAPEUTIC USE, OR  
5 COMMERCIALIZATION OF IBOGAINES OR IBOGA. THE BENEFIT-SHARING PLAN  
6 MUST INCLUDE DOCUMENTATION OF THE SOURCING OF IBOGAINES OR  
7 IBOGA.

8 (c) IN DEVELOPING A BENEFIT-SHARING PLAN PURSUANT TO THIS  
9 SUBSECTION (5), APPLICANTS MAY CONSIDER INTERNATIONALLY  
10 RECOGNIZED PRINCIPLES RELATED TO EQUITABLE BENEFIT SHARING THAT  
11 MAY ARISE FROM THE USE OF RESOURCES AND TRADITIONAL KNOWLEDGE.

12 (6) (a) THE COMMISSIONER SHALL ADOPT RULES THAT ARE  
13 NECESSARY TO ESTABLISH AND ADMINISTER THE IBOGAINES PILOT  
14 PROGRAM. AT A MINIMUM, THE COMMISSIONER SHALL ADOPT RULES ON  
15 THE FOLLOWING:

16 (I) THE APPLICATION PROCESS FOR PROSPECTIVE IBOGAINES PILOT  
17 SITE APPLICANTS;

18 (II) CRITERIA FOR AWARDING GRANTS TO IBOGAINES PILOT SITES TO  
19 ASSIST THE IBOGAINES PILOT SITE WITH FUNDING;

20 (III) DATA AND RESEARCH COLLECTION BY THE IBOGAINES PILOT  
21 SITES ON THE USE AND EFFECTIVENESS OF IBOGAINES IN TREATING MENTAL  
22 HEALTH CONDITIONS AND SUBSTANCE USE DISORDERS;

23 (IV) INFORMATION SHARING BETWEEN THE IBOGAINES PILOT SITES  
24 AND THE BHA;

25 (V) ADVERSE EVENT REPORTING; AND

26 (VI) OTHER RULES THAT ARE NECESSARY FOR THE SAFE AND  
27 EFFECTIVE OPERATION OF THE IBOGAINES PILOT SITES AND ADMINISTRATION

1 OF THE IBOGAIN RESEARCH PILOT PROGRAM ESTABLISHED BY THIS  
2 SECTION.

3 (b) WITH THE EXCEPTION OF THE REQUIREMENTS OF SUBSECTION  
4 (6)(a) OF THIS SECTION, THE COMMISSIONER SHALL NOT ADOPT RULES  
5 THAT ARE DUPLICATIVE OF FEDERAL LAW.

6 (7) ON OR BEFORE A DATE SET BY THE BHA AND ANNUALLY  
7 THEREAFTER THAT THE PILOT PROGRAM IS OPERATIONAL, EACH IBOGAIN  
8 PILOT SITE MUST SUBMIT THE DATA AND RESEARCH AS REQUIRED  
9 PURSUANT TO SUBSECTION (6)(a)(III) OF THIS SECTION FOR THE  
10 PROCEEDING YEAR TO THE BHA.

11 (8) AT LEAST ANNUALLY, BUT NOT MORE THAN QUARTERLY,  
12 BEGINNING ONE MONTH AFTER THE DATE SET BY THE BHA DESCRIBED IN  
13 SUBSECTION (7) OF THIS SECTION WHILE THE PILOT PROGRAM IS  
14 OPERATIONAL, THE BHA MUST REVIEW THE DATA AND RESEARCH  
15 SUBMITTED BY THE IBOGAIN PILOT SITES, AS REQUIRED BY SUBSECTION  
16 (7) OF THIS SECTION, AND POST A REPORT DETAILING THE IBOGAIN PILOT  
17 SITE FINDINGS ON THE BHA'S WEBSITE.

18 (9) THE BHA MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS, OR  
19 DONATIONS RECEIVED FROM PRIVATE OR PUBLIC SOURCES FOR THE  
20 PURPOSES OF THIS SECTION. THE BHA SHALL TRANSMIT ALL MONEY  
21 RECEIVED THROUGH GIFTS, GRANTS, OR DONATIONS TO THE STATE  
22 TREASURER, WHO SHALL CREDIT THE MONEY TO THE IBOGAIN RESEARCH  
23 PILOT PROGRAM CASH FUND CREATED IN SUBSECTION (10) OF THIS  
24 SECTION. THE BHA MAY ACCEPT DONATIONS OF IN-KIND SERVICES FOR  
25 PURPOSES OF THIS SECTION.

26 (10) THE IBOGAIN RESEARCH PILOT PROGRAM CASH FUND IS  
27 CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF GIFTS, GRANTS,

1 AND DONATIONS CREDITED TO THE FUND PURSUANT TO SUBSECTION (9) OF  
2 THIS SECTION AND ANY OTHER MONEY THAT THE GENERAL ASSEMBLY MAY  
3 APPROPRIATE OR TRANSFER TO THE FUND. THE STATE TREASURER SHALL  
4 CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND  
5 INVESTMENT OF MONEY IN THE FUND TO THE FUND. MONEY IN THE FUND  
6 IS CONTINUOUSLY APPROPRIATED TO THE BHA FOR THE PURPOSE OF  
7 ADMINISTERING THE IBOGAIN RESEARCH PILOT PROGRAM AND AWARDING  
8 GRANTS TO SELECTED IBOGAIN PILOT SITES.

9 (11) THE OPERATION OF AN IBOGAIN PILOT SITE IN ACCORDANCE  
10 WITH THIS SECTION IS CONTINGENT ON FEDERAL APPROVAL.

11 (12) THIS SECTION DOES NOT PRECLUDE A PERSON FROM  
12 ADMINISTERING IBOGAIN OUTSIDE OF THE PILOT PROGRAM IN  
13 COMPLIANCE WITH FEDERAL LAW OR AS PERMITTED PURSUANT TO THE  
14 "NATURAL MEDICINE HEALTH ACT OF 2022", ARTICLE 170 OF TITLE 12,  
15 AND THE "COLORADO NATURAL MEDICINE CODE", ARTICLE 50 OF TITLE  
16 44.

17 (13) AN INDIVIDUAL OR ENTITY PARTICIPATING IN THE PILOT  
18 PROGRAM MUST NOT BE PROSECUTED OR OTHERWISE DISCIPLINED FOR  
19 ACTIONS OR CONDUCT PERMITTED PURSUANT TO THIS SECTION.

20 (14) (a) A PHYSICIAN OR HEALTH-CARE PROFESSIONAL  
21 ADMINISTERING IBOGAIN TO PARTICIPANTS AS PART OF THE PILOT  
22 PROGRAM, OR AN IBOGAIN PILOT SITE, IS NOT LIABLE FOR MONEY  
23 DAMAGES IN A CIVIL MALPRACTICE ACTION A PHYSICAL OR  
24 PSYCHOLOGICAL INJURY THAT A PARTICIPANT MAY EXPERIENCE AS A  
25 RESULT OF BEING ADMINISTERED IBOGAIN AS A PARTICIPANT IN THE PILOT  
26 PROGRAM, UNLESS THE INJURY WAS THE DIRECT RESULT OF THE  
27 PHYSICIAN'S OR HEALTH-CARE PROFESSIONAL'S INTENTIONAL

1 MISCONDUCT, GROSS NEGLIGENCE, OR A DEVIATION FROM THE GENERALLY  
2 ACCEPTED STANDARDS OF PRACTICE.

3 (b) THIS SUBSECTION (14) DOES NOT APPLY TO ADMINISTRATIVE  
4 PROCEEDINGS.

5 (15) THE BHA SHALL WORK TO SECURE FEDERAL RESEARCH AND  
6 DEVELOPMENT FUNDING AVAILABLE THROUGH THE ADVANCED RESEARCH  
7 PROJECTS AGENCY FOR HEALTH WITHIN THE FEDERAL DEPARTMENT OF  
8 HEALTH AND HUMAN SERVICES, OR OTHER AVAILABLE FEDERAL FUNDING,  
9 IN ORDER TO ADVANCE RESEARCH EFFORTS ON THE USE OF IBOGAIN AS A  
10 TREATMENT FOR SERIOUS MENTAL ILLNESSES.

11 (16) SUBSECTIONS (1), (2), (3), (4), (5), (6), (7), (8), (11), (12),  
12 (13), (14), AND (15) OF THIS SECTION TAKE EFFECT IF THE BHA RECEIVES  
13 ONE HUNDRED FIFTY THOUSAND DOLLARS IN GIFTS, GRANTS, OR  
14 DONATIONS, OR IF THE BHA RECEIVES IN-KIND DONATIONS FOR WHICH  
15 THE VALUE IS EQUAL TO ONE HUNDRED FIFTY THOUSAND DOLLARS,  
16 BEFORE JANUARY 1, 2028, FOR THE PURPOSE OF IMPLEMENTING THIS  
17 SECTION. THE COMMISSIONER OF THE BHA SHALL NOTIFY THE REVISOR OF  
18 STATUTES IN WRITING OF THE DATE ON WHICH THE CONDITION SPECIFIED  
19 IN THIS SUBSECTION (16) HAS OCCURRED BY EMAILING THE NOTICE TO  
20 REVISOROFSTATUTES.GA@COLEG.GOV. SUBSECTIONS (1), (2), (3), (4), (5),  
21 (6), (7), (8), (11), (12), (13), (14), AND (15) OF THIS SECTION TAKE EFFECT  
22 ON THE DATE IDENTIFIED IN THE NOTICE TO THE REVISOR OF STATUTES  
23 THAT THE BHA HAS RECEIVED ONE HUNDRED FIFTY THOUSAND DOLLARS  
24 IN GIFTS, GRANTS, OR DONATIONS, OR AN IN-KIND DONATION FOR WHICH  
25 THE VALUE IS EQUAL TO ONE HUNDRED FIFTY THOUSAND DOLLARS, FOR  
26 THE PURPOSE OF THIS SECTION, OR, IF THE NOTICE TO THE REVISOR OF  
27 STATUTES DOES NOT SPECIFY THAT DATE, ON THE DATE OF THE NOTICE TO

1 THE REVISOR OF STATUTES.

2 (17) (a) THE BHA MUST RECEIVE ADDITIONAL GIFTS, GRANTS, OR  
3 DONATIONS IN THE AMOUNT NECESSARY TO COVER THE TOTAL REMAINING  
4 COST OF OPERATING THE PILOT PROGRAM FOR THE DURATION OF THE PILOT  
5 PROGRAM, OR IN-KIND DONATIONS FOR WHICH THE VALUE IS EQUAL TO  
6 THE AMOUNT NECESSARY TO COVER THE TOTAL REMAINING COST OF  
7 OPERATING THE PILOT PROGRAM FOR THE DURATION OF THE PILOT  
8 PROGRAM, WITHIN THREE HUNDRED SIXTY-FIVE DAYS FOLLOWING THE  
9 DATE ON WHICH SUBSECTIONS (1), (2), (3), (4), (5), (6), (7), (8), (11), (12),  
10 (13), (14), AND (15) OF THIS SECTION TAKE EFFECT.

11 (b) IF ADDITIONAL GIFTS, GRANTS, OR DONATIONS IN THE AMOUNT  
12 NECESSARY TO COVER THE TOTAL REMAINING COST OF OPERATING THE  
13 PILOT PROGRAM FOR THE DURATION OF THE PILOT PROGRAM, OR IN-KIND  
14 DONATIONS FOR WHICH THE VALUE IS EQUAL TO THE AMOUNT NECESSARY  
15 TO COVER THE TOTAL REMAINING COST OF OPERATING THE PILOT  
16 PROGRAM FOR THE DURATION OF THE PILOT PROGRAM, ARE NOT RECEIVED  
17 WITHIN THREE HUNDRED SIXTY-FIVE DAYS FOLLOWING THE DATE ON  
18 WHICH THE REVISOR OF STATUTES RECEIVES NOTICE PURSUANT TO  
19 SUBSECTION (16) OF THIS SECTION, THIS SECTION IS REPEALED. THE  
20 COMMISSIONER OF THE BHA SHALL NOTIFY THE REVISOR OF STATUTES OF  
21 THE DATE ON WHICH THE CONDITION SPECIFIED IN THIS SUBSECTION  
22 (17)(b) HAS OCCURRED BY EMAILING THE NOTICE TO  
23 REVISOROFSTATUTES.GA@COLEG.GOV.

24 (18) (a) IF, ON OR BEFORE JANUARY 1, 2028, THE MONEY IN THE  
25 FUND HAS NEVER REACHED OR EXCEEDED ONE HUNDRED FIFTY THOUSAND  
26 DOLLARS, OR ADDITIONAL GIFTS, GRANTS, OR DONATIONS IN THE AMOUNT  
27 NECESSARY TO COVER THE TOTAL REMAINING COST OF THE PILOT

1 PROGRAM ARE NOT RECEIVED WITHIN THREE HUNDRED SIXTY-FIVE DAYS  
2 FOLLOWING THE DATE ON WHICH THE REVISOR OF STATUTES RECEIVES  
3 NOTICE PURSUANT TO SUBSECTION (17) OF THIS SECTION, THE STATE  
4 TREASURER SHALL RETURN FROM THE FUND TO THE GRANTOR OR DONOR  
5 THE AMOUNT OF THE GRANTOR'S OR DONOR'S GIFTS, GRANTS, OR  
6 DONATIONS AND, NOTWITHSTANDING SUBSECTION (17) OF THIS SECTION,  
7 THE BHA SHALL NOT ACCEPT ADDITIONAL GIFTS, GRANTS, OR DONATIONS  
8 FOR THE PURPOSES OF THIS SECTION.

9 (b) IF ANY MONEY REMAINS IN THE FUND AFTER THE STATE  
10 TREASURER RETURNS MONEY TO DONORS OR GRANTORS PURSUANT TO  
11 SUBSECTION (18)(a) OF THIS SECTION, AS APPLICABLE, THE STATE  
12 TREASURER SHALL, PRIOR TO THE REPEAL OF THE FUND, TRANSFER ALL  
13 UNEXPENDED AND UNENCUMBERED MONEY IN THE FUND TO THE  
14 REGULATED NATURAL MEDICINE CASH FUND CREATED IN SECTION  
15 44-50-601.

16 **SECTION 3.** In Colorado Revised Statutes, 12-170-104, **amend**  
17 (12)(b)(II) and (12)(c) as follows:

18 **12-170-104. Definitions.**

19 As used in this article 170, unless the context otherwise requires:

20 (12) (b) In addition to the substances listed in subsection (12)(a)  
21 of this section, "natural medicine" includes:

22 (II) Ibogaine, if recommended by the board and approved by the  
23 director and the executive director of the state licensing authority; AND  
24 IBOGAINE DERIVED FROM A SEMI-SYNTHETIC PROCESS USING THE  
25 TABERNANTHE IBOGA PLANT OR VOACANGA AFRICANA PLANT, IF  
26 APPROVED BY THE BOARD AS A NATURAL MEDICINE AND TO THE EXTENT  
27 PERMITTED BY THE STATE LICENSING AUTHORITY, FOR USE IN THE

1 ADMINISTRATIVE SESSIONS PURSUANT TO THIS ARTICLE 170 AND ARTICLE  
2 50 OF TITLE 44; or

3 (c) "Natural medicine" does not mean a synthetic or synthetic  
4 analog of the substances listed in subsections (12)(a) and (12)(b) of this  
5 section, including a derivative of a naturally occurring compound of  
6 natural medicine that is produced using chemical synthesis, chemical  
7 modification, or chemical conversion, EXCEPT FOR IBOGAINE DERIVED  
8 FROM A SEMI-SYNTHETIC PROCESS USING THE TABERNANTHE IBOGA  
9 PLANT, VOACANGA AFRICANA PLANT, OR ANOTHER SOURCE THAT IS  
10 RECOMMENDED BY THE BOARD, PURSUANT TO SECTION 12-170-106, FOR  
11 USE AS A NATURAL MEDICINE AND TO THE EXTENT PERMITTED BY THE  
12 STATE LICENSING AUTHORITY, FOR USE IN ADMINISTRATION SESSIONS,  
13 PURSUANT TO THIS ARTICLE 170 AND ARTICLE 50 OF TITLE 44.

14 **SECTION 4.** In Colorado Revised Statutes, 12-170-105, **amend**  
15 (1)(a) introductory portion; and **add** (1)(a)(I.5) as follows:

16 **12-170-105. Director powers and duties - prohibition - rules.**

17 (1) In addition to any other powers and duties granted or imposed  
18 on the director pursuant to this article 170 or by any other law, the  
19 director has the following powers and duties:

20 (a) To ~~promulgate~~ ADOPT rules pursuant to section 12-20-204  
21 concerning the following subjects:

22 (I.5) REQUIREMENTS FOR THE USE AND ADMINISTRATION OF  
23 IBOGAINE, INCLUDING:

24 (A) REQUIRING MEDICAL PRESCREENING, WHICH MAY INCLUDE AN  
25 ELECTROCARDIOGRAM, BLOOD TESTS, GENETIC TESTS, AND ANY OTHER  
26 MEDICAL TEST, THE RESULTS OF WHICH MAY BE USED TO HELP REDUCE THE  
27 RISKS RELATED TO IBOGAINE ADMINISTRATION FOR A PARTICIPANT;

1 (B) REQUIRING CONTINUOUS MEDICAL MONITORING DURING AN  
2 IBOGAINE ADMINISTRATION SESSION;

3 (C) REQUIRING APPROPRIATE OVERSIGHT BY TRAINED AND  
4 EXPERIENCED MEDICAL PROFESSIONALS DURING AN IBOGAINE  
5 ADMINISTRATION SESSION; AND

6 (D) REQUIRING EXTENDED INTEGRATION OR AFTERCARE, AS  
7 APPROPRIATE, WHICH MAY UTILIZE REFERRALS, MEDICAL AND MENTAL  
8 HEALTH PROFESSIONALS, AND CERTIFIED PEER SUPPORT SPECIALISTS;

9 **SECTION 5.** In Colorado Revised Statutes, 12-170-106, **amend**  
10 (1), (2), (4)(c), and (5)(f); and **add** (4)(d), (4)(e), and (4)(f) as follows:

11 **12-170-106. Board - creation - appointment - duties - report.**

12 (1) There is created within the division a natural medicine  
13 advisory board, which consists of fifteen VOTING members AND ONE  
14 NONVOTING MEMBER DESCRIBED IN SUBSECTION (3) OF THIS SECTION, to  
15 advise the division and the state licensing authority concerning the  
16 implementation of this article 170 and article 50 of title 44. THE BOARD  
17 IS ADVISORY IN NATURE AND SHALL NOT EXERCISE LICENSING,  
18 ENFORCEMENT, RULE-MAKING, OR OPERATIONAL AUTHORITY.

19 (2) (a) ~~The governor shall appoint initial board members on or~~  
20 ~~before January 31, 2023, with consent of the senate. The members must~~  
21 ~~include:~~ THE GOVERNOR SHALL APPOINT THE FIFTEEN VOTING MEMBERS  
22 TO THE BOARD.

23 (a) (b) ~~Seven members with significant expertise and experience~~  
24 ~~in one or more of the following areas: Natural medicine therapy,~~  
25 ~~medicine, and research; mycology and natural medicine cultivation;~~  
26 ~~licensee qualifications; emergency medical services and services provided~~  
27 ~~by first responders; mental and behavioral health care; health-care~~

1 ~~insurance and health-care policy; and public health, drug policy, and harm~~  
2 ~~reduction; and~~ IN MAKING APPOINTMENTS TO THE BOARD, THE GOVERNOR  
3 SHALL ENSURE THAT THE BOARD REFLECTS A DIVERSE RANGE OF  
4 PROFESSIONAL EXPERTISE, LIVED EXPERIENCE, AND PERSPECTIVES  
5 NECESSARY TO ADVISE ON THE SAFE, EFFECTIVE, AND EQUITABLE  
6 IMPLEMENTATION OF NATURAL MEDICINES AUTHORIZED PURSUANT TO  
7 THIS ARTICLE 170.

8 ~~(b) (c) Eight members with significant expertise and experience~~  
9 ~~in one or more of the following areas: Religious use of natural medicines;~~  
10 ~~issues confronting veterans; traditional tribal or Indigenous use of natural~~  
11 ~~medicines; levels and disparities in access to health-care services among~~  
12 ~~different communities; and past criminal justice reform efforts in~~  
13 ~~Colorado. At least one of the eight members must have expertise or~~  
14 ~~experience in traditional, tribal, or Indigenous use of natural medicines.~~  
15 MEMBERS APPOINTED TO THE BOARD MUST HAVE RELEVANT EXPERIENCE  
16 TO THE NATURAL MEDICINE CURRENTLY BEING REGULATED OR UNDER  
17 CONSIDERATION BY THE BOARD. RELEVANT EXPERIENCE MAY CONSIST OF  
18 WORK OR EXPERTISE IN THE FOLLOWING AREAS:

19 (I) MEDICAL, CLINICAL, SCIENTIFIC, PHARMACOLOGICAL,  
20 TOXICOLOGICAL, OR RESEARCH RELATED TO NATURAL MEDICINE;

21 (II) PHYSICAL HEALTH CARE, MENTAL HEALTH CARE, BEHAVIORAL  
22 HEALTH CARE, OR SUBSTANCE USE DISORDER TREATMENT;

23 (III) EMERGENCY MEDICAL SERVICES, FIRST RESPONDER SERVICES,  
24 OR ACUTE CARE MEDICINE;

25 (IV) PUBLIC HEALTH, DRUG POLICY, HARM REDUCTION, OR  
26 HEALTH-CARE POLICY;

27 (V) NATURAL MEDICINE CULTIVATION, SOURCING, PROCESSING,

1 MANUFACTURING, SUPPORTIVE CARE PROVIDED PRIOR TO AND FOLLOWING  
2 THE ADMINISTRATION OF NATURAL MEDICINE, OR QUALITY CONTROL OF  
3 NATURAL MEDICINE;

4 (VI) REGULATORY COMPLIANCE, PROFESSIONAL LICENSURE,  
5 HEALTH-CARE REGULATION, OR LABORATORY STANDARDS;

6 (VII) RELIGIOUS, SPIRITUAL, TRADITIONAL, TRIBAL, OR  
7 INDIGENOUS USE OF NATURAL MEDICINE;

8 (VIII) ISSUES IMPACTING VETERANS OR OTHER POPULATIONS  
9 DISPROPORTIONATELY IMPACTED BY SUBSTANCE USE DISORDER OR  
10 MENTAL HEALTH CONDITIONS;

11 (IX) HEALTH-CARE ACCESS, HEALTH EQUITY, OR DISPARITIES IN  
12 ACCESS TO CARE;

13 (X) CRIMINAL JUSTICE REFORM, DRUG POLICY REFORM, OR  
14 IMPACTS OF PRIOR DRUG ENFORCEMENT POLICIES; OR

15 (XI) ISSUES AFFECTING THE ECOLOGY OR CULTURE OF INDIGENOUS  
16 PEOPLE WHO HAVE HISTORICALLY USED NATURAL MEDICINE.

17 (d) NOTHING IN SUBSECTION (2)(c) OF THIS SECTION REQUIRES THE  
18 BOARD TO REPRESENT ALL AREAS OF EXPERTISE LISTED IN SUBSECTION  
19 (2)(c) OF THIS SECTION.

20 (e) SUBSECTION (2)(c) OF THIS SECTION DOES NOT LIMIT THE  
21 GOVERNOR'S DISCRETION TO APPOINT MEMBERS WHOSE QUALIFICATIONS  
22 ARE PARTICULARLY RELEVANT TO A SPECIFIC NATURAL MEDICINE THAT IS  
23 BEING REGULATED OR IS UNDER CONSIDERATION BY THE BOARD.

24 (4) (c) ~~Except for the executive director of the state licensing~~  
25 ~~authority, or the executive director's designee,~~ Members of the board may  
26 serve up to two consecutive terms. ~~Members are subject to removal for~~  
27 ~~misconduct, incompetence, neglect of duty, or unprofessional conduct.~~

1 (d) MEMBERS ARE SUBJECT TO REMOVAL FOR MISCONDUCT,  
2 INCOMPETENCE, NEGLECT OF DUTY, OR UNPROFESSIONAL CONDUCT, AND  
3 THE GOVERNOR MAY REMOVE A MEMBER FROM THE BOARD IF THE  
4 GOVERNOR DETERMINES THAT CHANGES TO THE BOARD'S COMPOSITION  
5 ARE NECESSARY TO ENSURE THE BOARD POSSESSES THE EXPERTISE  
6 REQUIRED TO FULFILL ITS ADVISORY ROLE WITH RESPECT TO A NATURAL  
7 MEDICINE BEING REGULATED OR UNDER CONSIDERATION BY THE BOARD.

8 (e) THE GOVERNOR SHALL FILL A VACANCY THAT OCCURS ON THE  
9 BOARD WITHIN ONE HUNDRED TWENTY DAYS AFTER THE VACANCY ARISES.

10 (f) A MEMBER APPOINTED PURSUANT TO SUBSECTION (4)(e) OF  
11 THIS SECTION SERVES FOR THE DURATION OF THE TERM BEING FILLED,  
12 SUBJECT TO SUBSECTION (4)(d) OF THIS SECTION.

13 (5) The board shall make recommendations to the director and  
14 state licensing authority related to, but not limited to, the following areas:

15 (f) The addition of other types of natural medicine to this article  
16 170 and article 50 of title 44 pursuant to section 12-170-104 (12)(b)(I),  
17 (12)(b)(II), or (12)(b)(III) based on available medical, psychological, and  
18 scientific studies, research, and other information related to the safety and  
19 efficacy of each natural medicine, and shall prioritize considering the  
20 addition of ibogaine pursuant to section 12-170-104 (12)(b)(II), to this  
21 article 170, and to article 50 of title 44, INCLUDING ADDITIONAL GENERA  
22 OR SPECIES OF PLANTS THAT MAY BE CULTIVATED AND MANUFACTURED  
23 TO CREATE SEMI-SYNTHETIC IBOGAINE;

24 **SECTION 6.** In Colorado Revised Statutes, 12-170-113, **add** (3)  
25 as follows:

26 **12-170-113. Protections.**

27 (3) (a) A FACILITATOR IS NOT LIABLE FOR MONEY DAMAGES IN A

1 CIVIL MALPRACTICE ACTION FOR A PHYSICAL OR PSYCHOLOGICAL INJURY  
2 THAT A PARTICIPANT MAY EXPERIENCE AS A RESULT OF THE FACILITATOR'S  
3 PERFORMANCE OR SUPERVISION OF NATURAL MEDICINE SERVICES FOR A  
4 PARTICIPANT, UNLESS THE INJURY WAS THE DIRECT RESULT OF THE  
5 FACILITATOR'S INTENTIONAL MISCONDUCT, GROSS NEGLIGENCE, OR A  
6 DEVIATION FROM THE GENERALLY ACCEPTED STANDARDS OF PRACTICE.

7 (b) THIS SUBSECTION (3) DOES NOT APPLY TO ADMINISTRATIVE  
8 PROCEEDINGS.

9 SECTION 7. In Colorado Revised Statutes, 44-50-104, amend  
10 (2) as follows:

11 **44-50-104. Applicability.**

12 (2) A person applying for licensure pursuant to this article 50 must  
13 complete forms as provided by the state licensing authority and must pay  
14 the application fee and the licensing fee, which must be credited to the  
15 regulated natural medicine division cash fund established pursuant to  
16 section 44-50-601. The state licensing authority shall prioritize reviewing  
17 applications from applicants ~~who have established residency in Colorado.~~

18 IN THE FOLLOWING ORDER:

19 (a) APPLICANTS WHO PARTICIPATE IN THE PILOT PROGRAM TO  
20 ADMINISTER IBOGAINE PURSUANT TO SECTION 27-60-207;

21 (b) APPLICANTS WHO HAVE ESTABLISHED RESIDENCY IN  
22 COLORADO; AND

23 (c) APPLICANTS WHO DEMONSTRATE PRIORITY REVIEW STATUS AS  
24 ESTABLISHED BY THE STATE LICENSING AUTHORITY IN RULE.

25 SECTION 8. In Colorado Revised Statutes, 44-50-202, amend  
26 (1)(a) as follows:

27 **44-50-202. Powers and duties of state licensing authority -**

1 **report - rules.**

2 (1) The state licensing authority shall:

3 (a) Beginning on or before December 31, 2024, grant or refuse  
4 state licenses for the cultivation, manufacturing, testing, storage,  
5 distribution, transport, transfer, and dispensation of regulated natural  
6 medicine or regulated natural medicine product; suspend, fine, restrict, or  
7 revoke ~~such~~ THE licenses, whether active, expired, or surrendered, upon  
8 a violation of this article 50 or a rule ~~promulgated~~ ADOPTED pursuant to  
9 this article 50; and impose any penalty authorized by this article 50 or a  
10 rule ~~promulgated~~ ADOPTED pursuant to this article 50. The state licensing  
11 authority may take any action with respect to a registration or permit  
12 pursuant to this article 50 as it may with respect to a license issued  
13 pursuant to this article 50, in accordance with the procedures established  
14 pursuant to this article 50.

15 (I) THE INCORPORATION OF ADDITIONAL NATURAL MEDICINES, AS  
16 RECOMMENDED BY THE BOARD AND APPROVED BY THE DIRECTOR AND  
17 EXECUTIVE DIRECTOR OF THE STATE LICENSING AUTHORITY, IS SUBJECT TO  
18 AVAILABLE FUNDING TO COVER THE DIRECT AND INDIRECT COSTS OF  
19 ADMINISTERING THIS ARTICLE 50 . THE STATE LICENSING AUTHORITY IS  
20 NOT REQUIRED TO INCORPORATE ADDITIONAL NATURAL MEDICINES IF  
21 THERE IS NOT SUFFICIENT FUNDING TO FINANCE PROGRAM  
22 ADMINISTRATION.

23 (II) ONCE SUFFICIENT FUNDING IS SECURED FOR PROGRAM  
24 IMPLEMENTATION, THE STATE LICENSING AUTHORITY, IN CONSULTATION  
25 WITH THE BOARD, THE DEPARTMENT OF REGULATORY AGENCIES, THE  
26 BEHAVIORAL HEALTH ADMINISTRATION, AND THE DEPARTMENT OF PUBLIC  
27 HEALTH AND ENVIRONMENT, SHALL DETERMINE THE PROGRAM SCOPE FOR

1 IMPLEMENTATION.

2 SECTION 9. In Colorado Revised Statutes, 44-50-203, add  
3 (4)(c), (5), and (6) as follows:

4 44-50-203. State licensing authority - rules.

5

6 (4) (c) THE STATE LICENSING AUTHORITY MAY ESTABLISH  
7 DIFFERENT APPLICATION FEES FOR LICENSES BASED ON THE TYPE OF  
8 NATURAL MEDICINE THAT THE LICENSEE SEEKS TO CULTIVATE,  
9 MANUFACTURE, TEST, OR DISPENSE.

10 (5) (a) A LICENSEE SEEKING TO CULTIVATE, MANUFACTURE, TEST,  
11 DISPENSE, OR ADMINISTER IBOGAINE SHALL, IN CONSULTATION WITH  
12 INDIGENOUS COMMUNITIES OR THEIR AUTHORIZED REPRESENTATIVE,  
13 ESTABLISH A BENEFIT-SHARING PLAN THAT DIRECTLY BENEFITS THOSE  
14 COMMUNITIES. A LICENSEE MAY USE OR RELY ON A THIRD PARTY FOR  
15 CONSULTATION.

16 (b) A LICENSEE SHALL MAINTAIN DOCUMENTATION  
17 DEMONSTRATING THE CONSULTATION PROCESS AND THE DEVELOPMENT OF  
18 THE BENEFIT-SHARING PLAN AND MAKE THE DOCUMENTATION PUBLICLY  
19 AVAILABLE UPON REQUEST.

20 (6) NOTHING IN THIS SECTION SHALL BE INTERPRETED TO REQUIRE  
21 INDIGENOUS COMMUNITIES TO DISCLOSE OR SHARE TRADITIONAL  
22 KNOWLEDGE, CEREMONIAL PRACTICES, OR CULTURAL EXPRESSIONS.

23 SECTION 10. In Colorado Revised Statutes, 44-50-601, amend  
24 (1)(a) as follows:

25 44-50-601. Regulated natural medicine cash fund - created -  
26 rules - fees.

27 (1) (a) ~~At~~ Money collected by the state licensing authority

1 pursuant to this article 50 or rules promulgated ADOPTED pursuant to this  
2 article 50 must be transmitted to the state treasurer, who shall credit the  
3 same to the regulated natural medicine division cash fund, which is  
4 hereby created IN THE STATE TREASURY. The regulated natural medicine  
5 division cash fund, referred to in this section as the "fund", consists of:

- 6 (I) The money collected by the state licensing authority; and
- 7 (II) GIFTS, GRANTS, OR DONATIONS FROM PUBLIC OR PRIVATE
- 8 SOURCES;
- 9 (III) MONEY TRANSFERRED FROM THE IBOGAINE RESEARCH PILOT
- 10 PROGRAM CASH FUND, ESTABLISHED IN SECTION 27-60-207 (10); AND
- 11 ~~(H)~~ (IV) Any additional general fund money appropriated to the
- 12 fund that is necessary for the operation of the state licensing authority.

13 **SECTION 11. Act subject to petition - effective date.** This act  
14 takes effect at 12:01 a.m. on the day following the expiration of the  
15 ninety-day period after final adjournment of the general assembly (August  
16 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a  
17 referendum petition is filed pursuant to section 1 (3) of article V of the  
18 state constitution against this act or an item, section, or part of this act  
19 within such period, then the act, item, section, or part will not take effect  
20 unless approved by the people at the general election to be held in  
21 November 2026 and, in such case, will take effect on the date of the  
22 official declaration of the vote thereon by the governor.