

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

March 24, 2026
Date

Committee on Health & Human Services.

After consideration on the merits, the Committee recommends the following:

HB26-1325 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, page 3, before line 26 insert:
- 2 (a) "BENEFIT-SHARING PLAN" MEANS AN ARRANGEMENT WITH
- 3 INDIGENOUS COMMUNITIES TRADITIONALLY CONNECTED TO THE USE OF
- 4 IBOGAINE OR IBOGA THAT IS INTENDED TO SHARE IN THE BENEFITS THAT
- 5 ARISE FROM THE RESEARCH, THERAPEUTIC USE, OR COMMERCIALIZATION
- 6 OF IBOGAINE OR IBOGA. BENEFITS MAY INCLUDE:
- 7 (I) FINANCIAL BENEFIT SHARING;
- 8 (II) COLLABORATIVE RESEARCH OR DATA SHARING;
- 9 (III) CONSERVATION SUPPORT FOR PLANT SPECIES AND HABITATS;
- 10 (IV) COMMUNITY-IDENTIFIED DEVELOPMENT PRIORITIES;
- 11 (V) CULTURAL OR EDUCATIONAL EXCHANGES; AND
- 12 (VI) UTILIZING A SOURCE FOR IBOGAINE THAT ENGAGES IN
- 13 BENEFIT-SHARING AND ETHICAL AND SUSTAINABLE CULTIVATION
- 14 PRACTICES."
- 15 Reletter succeeding paragraphs accordingly.
- 16 Page 4, line 12, strike "ENTER INTO" and substitute "REQUIRE".
- 17 Page 5, line 17, strike "AND".
- 18 Page 5, line 19, strike "COSTS." and substitute "COSTS; AND".
- 19 Page 5, after line 19 insert:
- 20 (j) MAY COLLABORATE AND ENTER INTO AGREEMENTS WITH
- 21 OTHER STATES, STATE AGENCIES, FEDERALLY RECOGNIZED TRIBES, AND
- 22 PUBLIC OR PRIVATE ENTITIES TO PARTICIPATE IN MULTI-STATE CONSORTIA

1 OR SIMILAR EFFORTS, INCLUDING THE SHARING OF DATA, FUNDING,
2 RESEARCH, CLINICAL PROTOCOLS, AND REGULATORY BEST PRACTICES
3 RELATED TO IBOGAINE AND IBOGAINE-RELATED THERAPIES."

4 Page 6, strike lines 8 through 10 and substitute:

5 "(b) ESTABLISH A BENEFIT-SHARING PLAN, WHICH MAY BE
6 DEVELOPED IN CONSULTATION WITH INDIGENOUS COMMUNITIES OR THEIR
7 RECOGNIZED GOVERNING INSTITUTIONS TRADITIONALLY CONNECTED TO
8 IBOGAINE OR IBOGA, THAT DIRECTLY BENEFITS THOSE COMMUNITIES AND
9 SHARES IN THE BENEFITS ARISING FROM RESEARCH, THERAPEUTIC USE, OR
10 COMMERCIALIZATION OF IBOGAINE OR IBOGA. THE BENEFIT-SHARING PLAN
11 MUST INCLUDE DOCUMENTATION OF THE SOURCING OF IBOGAINE OR
12 IBOGA.

13 (c) IN DEVELOPING A BENEFIT-SHARING PLAN PURSUANT TO THIS
14 SUBSECTION (5), APPLICANTS MAY CONSIDER INTERNATIONALLY
15 RECOGNIZED PRINCIPLES RELATED TO EQUITABLE BENEFIT SHARING THAT
16 MAY ARISE FROM THE USE OF RESOURCES AND TRADITIONAL
17 KNOWLEDGE."

18 Page 8, line 13, strike "TITLE 12" and substitute "TITLE 12, AND THE
19 "COLORADO NATURAL MEDICINE CODE", ARTICLE 50 OF TITLE 44."

20 Page 8, line 17, strike "(14)" and substitute "(14) (a)".

21 Page 8, line 19, after "FOR" add "MONEY DAMAGES IN A CIVIL
22 MALPRACTICE ACTION".

23 Page 8, strike line 25 and substitute: "GENERALLY ACCEPTED STANDARDS
24 OF PRACTICE.

25 Page 8, after line 25 insert:

26 "(b) THIS SUBSECTION (14) DOES NOT APPLY TO ADMINISTRATIVE
27 PROCEEDINGS."

28 Page 9, line 11, strike "REGULATED PROGRAMS;" and substitute
29 "ADMINISTRATIVE SESSIONS PURSUANT TO THIS ARTICLE 170 AND ARTICLE
30 50 OF TITLE 44;".

31 Page 9, strike lines 16 through 20 and substitute "modification, or
32 chemical conversion, EXCEPT FOR IBOGAINE DERIVED FROM A
33 SEMI-SYNTHETIC PROCESS USING THE TABERNANTHE IBOGA PLANT,
34 VOACANGA AFRICANA PLANT, OR ANOTHER SOURCE THAT IS

1 RECOMMENDED BY THE BOARD, PURSUANT TO SECTION 12-170-106, FOR
2 USE AS A NATURAL MEDICINE AND TO THE EXTENT PERMITTED BY THE
3 STATE LICENSING AUTHORITY, FOR USE IN ADMINISTRATION SESSIONS,
4 PURSUANT TO THIS ARTICLE 170 AND ARTICLE 50 OF TITLE 44."

5 Page 9, after line 20 insert:

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

8 **12-170-105. Director powers and duties - prohibition - rules.**

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

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

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

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

20 (B) REQUIRING CONTINUOUS MEDICAL MONITORING DURING AN
21 IBOGAINE ADMINISTRATION SESSION;

22 (C) REQUIRING APPROPRIATE OVERSIGHT BY TRAINED AND
23 EXPERIENCED MEDICAL PROFESSIONALS DURING AN IBOGAINE
24 ADMINISTRATION SESSION; AND

25 (D) REQUIRING EXTENDED INTEGRATION OR AFTERCARE, AS
26 APPROPRIATE, WHICH MAY UTILIZE REFERRALS, MEDICAL AND MENTAL
27 HEALTH PROFESSIONALS, AND CERTIFIED PEER SUPPORT SPECIALISTS;"

28 Renumber succeeding sections accordingly.

29 Page 9, line 22, strike "and (4)(c);" and substitute "(4)(c), and (5)(f);".

30 Page 12, strike lines 9 and 10 and substitute:

31 "~~(4) (c) Except for the executive director of the state licensing~~
32 ~~authority, or the executive director's designee, Members of the board~~
33 ~~may~~".

34 Page 12, after line 24 insert:

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

37 (f) The addition of other types of natural medicine to this article

1 170 and article 50 of title 44 pursuant to section 12-170-104 (12)(b)(I),
2 (12)(b)(II), or (12)(b)(III) based on available medical, psychological, and
3 scientific studies, research, and other information related to the safety and
4 efficacy of each natural medicine, and shall prioritize considering the
5 addition of ibogaine pursuant to section 12-170-104 (12)(b)(II), to this
6 article 170, and to article 50 of title 44, INCLUDING ADDITIONAL GENERA
7 OR SPECIES OF PLANTS THAT MAY BE CULTIVATED AND MANUFACTURED
8 TO CREATE SEMI-SYNTHETIC IBOGAINES;"

9 Page 13, strike line 1 and substitute: "(3) (a) A FACILITATOR IS NOT
10 LIABLE FOR MONEY DAMAGES IN A CIVIL MALPRACTICE ACTION FOR A
11 PHYSICAL OR".

12 Page 13, strike line 7 and substitute "GENERALLY ACCEPTED STANDARDS
13 OF PRACTICE."

14 Page 13, after line 7 insert:

15 "(b) THIS SUBSECTION (3) DOES NOT APPLY TO ADMINISTRATIVE
16 PROCEEDINGS."

17 Page 13, strike lines 18 through 21 and substitute:

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

20 Page 13, after line 25 insert:

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

23 **44-50-202. Powers and duties of state licensing authority -**
24 **report - rules.**

25 (1) The state licensing authority shall:

26 (a) Beginning on or before December 31, 2024, grant or refuse
27 state licenses for the cultivation, manufacturing, testing, storage,
28 distribution, transport, transfer, and dispensation of regulated natural
29 medicine or regulated natural medicine product; suspend, fine, restrict, or
30 revoke such THE licenses, whether active, expired, or surrendered, upon
31 a violation of this article 50 or a rule promulgated ADOPTED pursuant to
32 this article 50; and impose any penalty authorized by this article 50 or a
33 rule promulgated ADOPTED pursuant to this article 50. The state licensing
34 authority may take any action with respect to a registration or permit
35 pursuant to this article 50 as it may with respect to a license issued
36 pursuant to this article 50, in accordance with the procedures established

1 pursuant to this article 50.

2 (I) THE INCORPORATION OF ADDITIONAL NATURAL MEDICINES, AS
3 RECOMMENDED BY THE BOARD AND APPROVED BY THE DIRECTOR AND
4 EXECUTIVE DIRECTOR OF THE STATE LICENSING AUTHORITY, IS SUBJECT TO
5 AVAILABLE FUNDING TO COVER THE DIRECT AND INDIRECT COSTS OF
6 ADMINISTERING THIS ARTICLE 50 . THE STATE LICENSING AUTHORITY IS
7 NOT REQUIRED TO INCORPORATE ADDITIONAL NATURAL MEDICINES IF
8 THERE IS NOT SUFFICIENT FUNDING TO FINANCE PROGRAM
9 ADMINISTRATION.

10 (II) ONCE SUFFICIENT FUNDING IS SECURED FOR PROGRAM
11 IMPLEMENTATION, THE STATE LICENSING AUTHORITY, IN CONSULTATION
12 WITH THE BOARD, THE DEPARTMENT OF REGULATORY AGENCIES, THE
13 BEHAVIORAL HEALTH ADMINISTRATION, AND THE DEPARTMENT OF PUBLIC
14 HEALTH AND ENVIRONMENT, SHALL DETERMINE THE PROGRAM SCOPE FOR
15 IMPLEMENTATION."

16 Renumber succeeding sections accordingly.

17 Page 13, line 26 and 27, strike "**amend** (2)(r) and (2)(s)(III); and **add**
18 (2)(t)," and substitute "**add**".

19 Page 13, line 27, strike "and (5)" and substitute "(5), and (6)".

20 Page 14, strike lines 2 through 27.

21 Page 15, strike lines 1 through 6.

22 Page 15, line 9 and 10, strike "ADMINISTER OR DISPENSE." and substitute
23 "CULTIVATE, MANUFACTURE, TEST, OR DISPENSE."

24 Page 15, strike lines 11 through 16 and substitute:

25 "(5)(a) A LICENSEE SEEKING TO CULTIVATE, MANUFACTURE, TEST,
26 DISPENSE, OR ADMINISTER IBOGAINE SHALL, IN CONSULTATION WITH
27 INDIGENOUS COMMUNITIES OR THEIR AUTHORIZED REPRESENTATIVE,
28 ESTABLISH A BENEFIT-SHARING PLAN THAT DIRECTLY BENEFITS THOSE
29 COMMUNITIES. A LICENSEE MAY USE OR RELY ON A THIRD PARTY FOR
30 CONSULTATION.

31 (b) A LICENSEE SHALL MAINTAIN DOCUMENTATION
32 DEMONSTRATING THE CONSULTATION PROCESS AND THE DEVELOPMENT OF
33 THE BENEFIT-SHARING PLAN AND MAKE THE DOCUMENTATION PUBLICLY
34 AVAILABLE UPON REQUEST.

35 (6) NOTHING IN THIS SECTION SHALL BE INTERPRETED TO REQUIRE

- 1 INDIGENOUS COMMUNITIES TO DISCLOSE OR SHARE TRADITIONAL
- 2 KNOWLEDGE, CEREMONIAL PRACTICES, OR CULTURAL EXPRESSIONS."

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