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SENATE BILL NO. 1135
AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the Senate Committee on Education and Health
on January 30, 2025)
(Patron Prior to Substitute—Senator Boysko)

A *BILL to direct the Board of Pharmacy to promulgate regulations that allow for the prescribing, possessing, dispensing, and use of crystalline polymorph psilocybin.*

Be it enacted by the General Assembly of Virginia:

1. *§ 1. Upon approval by the U.S. Food and Drug Administration (FDA) of the pharmaceutical composition of crystalline polymorph psilocybin, the Board of Pharmacy shall promulgate regulations to make the following activities legal in the Commonwealth: (i) the clinically appropriate prescription for a patient of the FDA-approved pharmaceutical composition of crystalline polymorph psilocybin by a health care provider licensed to prescribe medications in the Commonwealth and acting within his authorized scope of practice; (ii) the dispensing, pursuant to a valid prescription, of the FDA-approved pharmaceutical composition of crystalline polymorph psilocybin to a patient or a patient's authorized representative by a pharmacist or by another health care provider licensed to dispense medications in the Commonwealth and acting within his authorized scope of practice; (iii) the possession, distribution, and transport of the FDA-approved pharmaceutical composition of crystalline polymorph psilocybin by a patient to whom a valid prescription was issued or by the patient's authorized representative; (iv) the possession, distribution, and transport of the FDA-approved pharmaceutical composition of crystalline polymorph psilocybin by a licensed pharmacy or wholesaler in order to facilitate the appropriate dispensing and use of the drug; and (v) the use of the FDA-approved pharmaceutical composition of crystalline polymorph psilocybin by a patient to whom a valid prescription was issued, provided the patient uses the drug only for legitimate medical purposes in conformity with instructions from the prescriber and dispenser. At its next quarterly meeting following rescheduling by the U.S. Drug Enforcement Administration of the pharmaceutical composition of crystalline polymorph psilocybin, the Board of Pharmacy shall initiate rulemaking to amend its regulations in accordance with the requirements of Article 2 (§ 2.2-4006 et seq. of the Code of Virginia) of the Administrative Process Act to conform to the provisions of this act.*

SENATE SUBSTITUTE

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