

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to direct the Board of Pharmacy to promulgate regulations that allow for the prescribing, possessing,*
3 *dispensing, and use of crystalline polymorph psilocybin.*

4 [S 1135]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**

7 **1.** *§ 1. Upon approval by the U.S. Food and Drug Administration (FDA) of the pharmaceutical composition*
8 *of crystalline polymorph psilocybin, the Board of Pharmacy shall promulgate regulations to make the*
9 *following activities legal in the Commonwealth: (i) the clinically appropriate prescription for a patient of*
10 *the FDA-approved pharmaceutical composition of crystalline polymorph psilocybin by a health care*
11 *provider licensed to prescribe medications in the Commonwealth and acting within his authorized scope of*
12 *practice; (ii) the dispensing, pursuant to a valid prescription, of the FDA-approved pharmaceutical*
13 *composition of crystalline polymorph psilocybin to a patient or a patient's authorized representative by a*
14 *pharmacist or by another health care provider licensed to dispense medications in the Commonwealth and*
15 *acting within his authorized scope of practice; (iii) the possession, distribution, and transport of the FDA-*
16 *approved pharmaceutical composition of crystalline polymorph psilocybin by a patient to whom a valid*
17 *prescription was issued or by the patient's authorized representative; (iv) the possession, distribution, and*
18 *transport of the FDA-approved pharmaceutical composition of crystalline polymorph psilocybin by a*
19 *licensed pharmacy or wholesaler in order to facilitate the appropriate dispensing and use of the drug; and*
20 *(v) the use of the FDA-approved pharmaceutical composition of crystalline polymorph psilocybin by a*
21 *patient to whom a valid prescription was issued, provided the patient uses the drug only for legitimate*
22 *medical purposes in conformity with instructions from the prescriber and dispenser. At its next quarterly*
23 *meeting following rescheduling by the U.S. Drug Enforcement Administration of the pharmaceutical*
24 *composition of crystalline polymorph psilocybin, the Board of Pharmacy shall initiate rulemaking to amend*
25 *its regulations in accordance with the requirements of Article 2 (§ 2.2-4006 et seq. of the Code of Virginia)*
26 *of the Administrative Process Act to conform to the provisions of this act.*