

MEMORANDUM

TO: Senate Committee on Health and Welfare

FROM: Vermont Department of Health

DATE: April 17, 2026

SUBJECT: H. 611 – An act relating to miscellaneous provisions affecting the Department of Vermont Health Access – Compass Pathways Language Proposal

Vermont's current Regulated Drug laws would allow Vermont-licensed physicians to prescribe psilocybin if the U.S. Food and Drug Administration (FDA) were to approve psilocybin for therapeutic use and the Federal Government were to reclassify psilocybin as something other than a schedule 1 controlled substance. The proposed amendment to H. 611 regarding psilocybin would not change this existing Vermont law.

Vermont's Regulated Drug Laws (18 V.S.A. Ch. 84: Possession and Control of Regulated Drugs and the Regulated Drug Rules) prohibit the possession and use of certain drugs unless the drugs are sold, prescribed, dispensed, and/or administered by a licensed manufacturer, wholesaler, physician, veterinarian, dentist, or pharmacist, in good faith and in the course of their professional practice. The laws do not prohibit all access to the listed drugs. Rather, they set limits (e.g., requiring a prescription) on possession and use of the drug. Currently, psilocybin is listed as a regulated drug in the Regulated Drug Rule.

Federal law is the legal impediment to Vermont-licensed physicians and pharmacists prescribing, dispensing, and administering psilocybin. Psilocybin is not approved by the FDA for therapeutic use and it is a schedule 1 controlled substance, meaning that the Federal Government has determined it has no medical use and, therefore, cannot be prescribed. Were these two things to change, current Vermont law would permit physicians to prescribe, dispense, and administer psilocybin.

