

Medical Psilocybin Advisory Board

Procedures and Bylaws

Approved: 12/12/2025

I. Name and Authority

The name of this advisory body is the "Medical Psilocybin Advisory Board", hereafter referred to as the Board.

The Board is established pursuant to NMSA 1978, Section 26-2D-8, enacted through Senate Bill 219 (2025 Legislative Session).

The statute provides that:

- The Board is administratively attached to the New Mexico Department of Health (DOH).
- The Secretary of DOH shall appoint members.
- Membership must include individuals representing or affiliated with:
 - The New Mexico Health Care Authority;
 - An enrolled member of an Indian nation, tribe, or pueblo located wholly or partially in New Mexico;
 - A licensed behavioral health care services provider;
 - A mental or behavioral health equity advocate;
 - A veteran of the United States Armed Forces;
 - Additional members as appointed by the Secretary.

II. Duties of the Board

As provided in statute, the Board shall:

1. Review and recommend to DOH medical conditions that may benefit from the medical use of psilocybin.
2. Accept and review petitions to add medical conditions to the list of qualifying conditions.
3. Recommend patient qualifications for the medical use of psilocybin.
4. Recommend formulation or preparation rules and dosage standards for psilocybin.
5. Assist DOH in establishing, monitoring, and evaluating best practices for producers and clinicians.

III. Membership and Voting Eligibility

1. A member of the Board is an individual who has been appointed by the Secretary and who meets the statutory criteria for membership or area of expertise.
2. A quorum consists of a majority of appointed members in attendance. NMSA 1978, Section 26-2D-8(A).
3. A member is considered present for purposes of quorum and voting if:
 - a. Physically present at the meeting site; or
 - b. Participating through an officially announced webinar or telephonic conference.
4. Members who miss three consecutive meetings may be asked to resign or may be removed by a majority vote of the appointed Board members.
5. A member may be removed by the Secretary within the Secretary's discretion, in accordance with the Secretary's power of appointment.
6. A majority vote consists of more than 50% of voting members present at a meeting in which a quorum is established.
7. For the HCA Board member, they may appoint a proxy to attend and vote in their place, so long as this proxy appointment is indicated in writing to the Chair in advance of the meeting.
8. Members who are not public employees are eligible for per diem and mileage reimbursement pursuant to the Per Diem and Mileage Act.

IV. Open Meetings Requirements

1. All meetings of the Board shall be open to the public.
2. Meetings shall be announced on the DOH Medical Psilocybin Program webpage or its successor page:

<https://www.nmhealth.org/about/mcpp/mpp/mpab/>

3. The Board shall meet at least twice per year.
4. Meetings must be announced at least three calendar (3) days in advance, and the agenda must be posted on the DOH Medical Psilocybin Program webpage at least one (1) calendar day prior to the meeting.
5. In the event of an emergency meeting called by the Chair and confirmed with a majority of the Board members through email, the announcement time period is waived so long as a good faith effort is made to announce the meeting to the public.
6. Meetings may be held in person or virtually, as stated in the public announcement.

V. Selection and Removal of Chair and Vice Chair

1. The Chair shall be elected by a simple majority of Board members at a meeting with a quorum.
 - a. The Chair is responsible for conducting meetings.
 - b. The Chair may be removed from the position of Chair by a majority of the Board at a meeting with a quorum.
2. A Vice Chair shall be elected by a simple majority at a meeting with a quorum.
 - a. The Vice Chair shall conduct meetings in the absence of the Chair.
 - b. The Vice Chair may be removed from the position of Vice Chair by a majority of the Board at a meeting with a quorum.

VI. Establishment and Amendment of Bylaws

1. The Board may establish or amend these Bylaws by a vote of **at least two-thirds** of the members present at a meeting with a quorum.

VII. Recommendations and Official Board Actions

1. Only appointed members of the Board who are present at a meeting can propose or vote on official actions.
2. After the Board adopts a recommendation, Medical Psilocybin Program staff shall forward the recommendation to the Secretary for consideration.

VIII. Committees

1. The Board may establish Committees by a majority vote of the Board.

2. The Board shall designate a chair for each committee.
3. Committees must have specific, defined tasks.
4. Committees may be disbanded by a majority vote of the Board.
5. Each committee must report back to the Board upon completing its assigned task.

IX. Conflict of Interest

1. Appearances of conflict of interest shall be managed through disclosure of all organizational and professional affiliations of Board members.
2. Board members affirm that they hold no financial conflicts of interest related to psilocybin production, distribution, or clinical service delivery.
3. If a Board member develops a conflict of interest, they shall notify DOH immediately and resign their position.