



Michelle Lujan Grisham
Governor

Gina DeBlassie
Cabinet Secretary

New Mexico Department of Health

Medical Psilocybin Program Frequently Asked Questions

Welcome to the New Mexico Medical Psilocybin Program. These FAQs provide essential information about the Medical Psilocybin Act. This Legislation has the goal to improve health outcomes for New Mexicans in the areas of mental health and substance use disorders through the regulated use of medical psilocybin.

What is the Medical Psilocybin Act?

The Medical Psilocybin Act is a new law in New Mexico which allows qualified patients to use psilocybin in a regulated medical program for Treatment-Resistant Depression, Post-Traumatic Stress Disorder, Substance Use Disorders, and End of Life Care.

When does the Medical Psilocybin Act take effect?

The law was passed by the New Mexico Legislature during the 2025 legislative session and was signed by Governor Lujan Grisham in April 2025. The Department of Health is in the process of creating and developing the program with a goal of enrolling the first patients by the end of December 2026.

Where can I find and read the Medical Psilocybin Act?

The Medical Psilocybin Act is available as a part of the New Mexico Statutes Annotated 1978 – Chapter 26 – Drugs and Cosmetics – Article 2D Medical Psilocybin. It can be found online here: [Medical Psilocybin Act - NMSA 26-2D-1\(1978\)](#).

What is psilocybin?

Psilocybin is a natural substance found in some mushrooms which can alter mood, thoughts, and perceptions. There was a “white paper”ⁱ developed in response to Senate Memorial 12 in 2024 which has additional information and links to research. It can be found here: <https://www.nmhealth.org/publication/view/meeting/9481/>

Is psilocybin legal under this statute?

Psilocybin is classified as a Schedule 1 controlled substance in the U.S., meaning it is illegal at the federal level. However, with the Medical Psilocybin Act, New Mexico has legalized the use of psilocybin for medical purposes. The rules and regulations for medical use of psilocybin will be established through the rulemaking process over the next 6-12 months. Once regulations are complete, they will be published by the Department of Health. At that time medical use of psilocybin will begin.

CENTER FOR MEDICAL CANNABIS & PSILOCYBIN | NEW MEXICO DEPARTMENT OF HEALTH

Mailing Address: P.O. Box 26110 • Santa Fe, New Mexico • 87502-6110
(505) 827-2321 • www.nmhealth.org

What are the benefits of psilocybin?

Some studies show psilocybin may help people with Treatment Resistant Depression, Anxiety, Post-Traumatic Stress Disorder, Substance Use Disorder, and End of Life Care.

Are there health risks with using psilocybin?

In general, Psilocybin is quite safe. As with any medication, there are potential risks. Individuals in the program will be carefully screened prior to using the medicine to minimize risks. This is why the Medical Psilocybin Act requires the program to include medical supervision.

Does the Medical Psilocybin Act allow all types of psilocybin?

The Medical Psilocybin Act only allows natural psilocybin (from mushrooms), not synthetic versions. However, FDA-approved psilocybin products can be used in research or for special cases.

Which medical conditions will qualify someone for the Medical Psilocybin Program and psilocybin treatment?

The Medical Psilocybin Act specifies patients with Treatment Resistant Depression, Post-Traumatic Stress Disorder, Substance Use Disorder, and End-of-Life (Anxiety and Depression) could be eligible for treatment. The rules and requirements will be developed during the rulemaking process to help medical providers determine who can safely and effectively benefit from psilocybin therapy.

How do I enroll in the Medical Psilocybin Program?

Psilocybin therapy enrollment has not yet started; the Department of Health is working on rules, regulations and protocols for the program. The goal of the Department is to enroll the first patients by the end of December 2026. Updates and documents will be on the program website (<https://www.nmhealth.org/about/mcpp/mpp/>) as they are available.

Can I get psilocybin now?

Psilocybin is not legally available in New Mexico outside of clinical research. Since it is regulated, the program will start once the rules and regulations for the program are completed and have gone into effect.

Will Medicaid or insurance cover psilocybin treatments?

Because psilocybin is not legal under federal law, insurance and other programs like Medicaid may not cover it. However, some of the therapy and other connected medical services may be covered.

Is financial help available for patients?

The statute created the *Medical Psilocybin Equity Fund* to help ensure access for those who need it. Details of who can qualify and how to qualify are currently being determined in the rule-making process.

Are there safety requirements for the Medical Psilocybin Program?

The New Mexico Department of Health is developing safety rules and regulations with the Medical Psilocybin Advisory Board for the next 6-12 months. To ensure safety, the rules and regulations will include requirements for product testing for contaminants, safe environments for therapeutic sessions, and emergency response plans. Advisory Board and Committee meetings are open to the public to ensure there is transparency and include input from community sources and experts. More information on the Advisory Board and the Committees can be found here: <https://www.nmhealth.org/about/mcpp/mpp/mpab/>

How can I be involved in the program development and the rulemaking process?

The Medical Psilocybin Advisory Board and Committee meetings' recordings and minutes are available on our program website. Stay informed by regularly checking the program website for announcements, meeting dates, and locations.

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

Also, if you would like to sign up for "E-News" and updates about the program:

- Go to the NM Department of Health website: <https://www.nmhealth.org>
- In the upper right corner click on "SIGN UP FOR E-NEWS"
- Complete the requested information and choose the E-mail list for the Medical Psilocybin Program

What is the Medical Psilocybin Advisory Board, and who is on it?

The Medical Psilocybin Advisory Board members are volunteers who help shape the state's psilocybin program. They provide guidance and recommendations to the Secretary of the Department of Health. There are 9 seats on the Board:

- A tribal representative
- A mental or behavioral health advocate
- A representative of the Health Care Authority

- A U.S. military veteran
- A behavioral health provider
- And four other members

The Board will help shape the program including safety guidelines, clinician training, cultivation requirements, permitting process, and treatment protocols. For more information including application process and updates please see the program website: <https://www.nmhealth.org/about/mcpp/mpp/>

You can find statutory details about the Board, Committees, potential duties, and responsibilities in the law at this link: : [Medical Psilocybin Act - NMSA 26-2D-1\(1978\)](#).

- **Patient Qualification and Safety**
- **Equity, Access, and Cultural Considerations**
- **End of Life Care**
- **Research and Continuous Improvement**
- **Propagation**
- **Dosage, Administration, and Clinical Practice**
- **Training and Education**

How are Medical Psilocybin Advisory Board members selected?

The Secretary of the Department of Health appoints the Board members. If you are interested in becoming a member, please see the program website for details and application requirements: <https://www.nmhealth.org/about/mcpp/mpp/mpab/>

Will there be funding opportunities for psilocybin research?

The statute established the *Medical Psilocybin Research Fund* to support studies on the medical use of psilocybin. While funding is not yet available, grants may be awarded once resources are in place.

Who can I contact if I have questions?

You can contact the New Mexico Department of Health Medical Psilocybin Program. Contact information can be found here: <https://www.nmhealth.org/about/mcpp/mpp/>

Where can I find official documents or guidelines?

The Medical Psilocybin Program is just starting. Updates and documents will be on the program website (<https://www.nmhealth.org/about/mcpp/mpp/>) as they are available.

What kind of training will clinicians undergo for psilocybin therapy?

The Department of Health is working to ensure clinicians are well qualified to provide psilocybin therapy. Details will be determined during Public Hearings and during the establishment of the Medical Psilocybin Program. Updates and documents will be on the program website (<https://www.nmhealth.org/about/mcpp/mpp/>) as they are available.

What can a patient expect during a psilocybin therapy session, and how are they supported?

The legislation requires a preparation session, a dosing session and an integration session. More detailed recommendations to the Secretary will be determined by the Advisory Board during the establishment of the Medical Psilocybin Program. Updates and documents will be on the program website (<https://www.nmhealth.org/about/mcpp/mpp/>) as they are available.

How will treatment be administered?

The medicine will be administered orally in a safe setting. Further recommendations to the Secretary will be determined by the Advisory Board during the establishment of the Medical Psilocybin Program. Updates and documents will be on the program website (<https://www.nmhealth.org/about/mcpp/mpp/>) as they are available.

Can I look for psilocybin mushrooms in the wild?

Psilocybin is classified as a Schedule I controlled substance under federal law. Additionally, wild mushrooms can be dangerous to collect without expert knowledge. Some can cause severe illness or even death if misidentified.

Links & Resources

HIPAA Authorization: <https://www.nmhealth.org/publication/view/form/137/>

Medical Psilocybin Act: <https://nmonesource.com/nmos/nmsa/en/item/4355/index.do#a2D>

Medical Psilocybin Program Contact Email: medical.psilocybin@doh.nm.gov

Medical Psilocybin Program Website: <https://www.nmhealth.org/about/mcpp/mpp/>

ⁱ *A “white paper” is a document informing readers about a complex issue. It is designed to help readers understand different aspects of the issue.