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To: [Clark, Jacob, DOH](#)
Subject: [EXTERNAL] Psilocybin proposed rules
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To the New Mexico Department of Health:

I am a New Mexico resident in Albuquerque, and I am also a clinician. I am writing to comment on proposed rule 7.35.3 NMAC ahead of the October 2, 2026 hearing.

I am a clinical provider, PMHNP, and concerned about the property-owner statement. I am concerned that landlords will not be informed about the clinical efficacy and safety and will automatically refuse access to their properties.

I ask the department to make the following changes in the final rule.

1. The property-owner statement, 7.35.3.11(B)(9).

Delete paragraph (B)(9) of 7.35.3.11.

The landlord interest that justifies the cannabis provision, smoking on the property, is not present in a supervised psilocybin session administered by a licensed facilitator. A signed acknowledgment gives an owner nothing to gain and something to lose, so many will decline to sign, and care at home for anyone who does not own their home will end before they are able to receive treatment.

2. The patient application, 7.35.3.8.

Strike the patient application process.

It has no legal or policy justification in a supervised-use program. It adds administrative burden for the department, lengthens the wait for care, creates another store of patient data that can be accessed without consent or unlawfully taken, and further stigmatizes patients.

Thank you for considering my comment.

Andrea Ensign
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