STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

HOUSE BILL 3834 By: May

AS INTRODUCED

An Act relating to ibogaine clinical trials; creating the Oklahoma Breakthrough Therapy Act; defining terms; establishing requirements for drug developers; providing contractual terms; providing for intellectual property rights; requiring submission of reports; creating an intellectual property account in the Office of the State Treasurer; prohibiting adverse licensing action towards medical professionals; providing funding for trials; providing for noncodification; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

This act shall be known and may be cited as the "Oklahoma Breakthrough Therapy Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2-806 of Title 63, unless there is created a duplication in numbering, reads as follows:

As used in this act:

1. "Department" means the State Department of Health;

2. "Drug developer" means a public-private partnership, for-profit, nonprofit, or public benefits corporation engaged in drug development and manufacturing that has established an ibogaine drug development agreement with at least one additional state with a plan to conduct drug development clinical trials to obtain United States Food and Drug Administration approval for use of ibogaine; and

3. "Ibogaine" means ibogaine and ibogaine-based therapeutics, including ibogaine analogs.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2-807 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. Before the State Department of Health may contract with the drug developer, the drug developer shall provide to the Department:

1. A detailed description of the drug developer's strategy for obtaining approval for ibogaine from the United States Food and Drug Administration through sanctioned drug development clinical trials, including a detailed clinical trial design, a description of the composition of the consortium's drug development clinical trial team and the expertise of the team members, its plan to submit an investigational new drug application, if it has not already done so, and to seek a breakthrough therapy designation under 21 U.S.C., Section 356, to expedite the trials;

2. Protocols for clinical trial participant recruitment, patient screening criteria administration, aftercare, and post-acute treatment support;

3. Certification of an existing ibogaine drug development agreement with one or more other states or state-sponsored consortia; and

4. Financial disclosures sufficient to verify the drug developer is prepared to meet its full obligations under this section.

B. Before the Department may contract with the drug developer, the Department shall negotiate a contract requiring the drug developer to substantially agree to the following:

1. To match the state's investment in drug development clinical trials with ibogaine with an equal amount of additional funding and to devote this total amount to drug development clinical trials conducted within the State of Oklahoma. These trials shall, to the maximum extent possible, use in-state clinicians, facilities, and study participants;

2. To provide reporting as specified under Section 4 of this act;

3. To establish a plan to ensure broad and accessible ibogaine treatment access to patients within the state following approval of ibogaine by the United States Food and Drug Administration by diverse means including, but not limited to:

a. providing priority access to ibogaine treatment to residents of the state,

b. seeking third-party payor approval for ibogaine treatment within the state,

c. developing means of access to ibogaine treatment within the state for uninsured and low-income individuals, and

d. training and credentialing medical providers within the state to administer ibogaine treatment; and

4. To provide a plan to recognize the state's economic interest in the intellectual property generated over the course of the multistate drug development clinical trials with ibogaine, consisting of share of the proceeds from said intellectual property which is proportional to the state's contribution to the total cost of the multistate drug development trials, and to deposit the state's share of those proceeds in the Ibogaine Intellectual Property Account established under Section 5 of this act at agreed upon intervals during the period for which the drug development clinical trials are funded and during any following period of commercialization.

C. In negotiating a contract with the drug developer, the Department may agree to additional terms and make reasonable deviations from the requirements of this section as long as the

resulting contract is fair and creates at least substantially equivalent value for the state.

D. For purposes of this section, intellectual property rights and other economic rights accruing to the State of Oklahoma arising from multistate drug development clinical trials with ibogaine shall include any and all of the following as related to these trials:

1. Intellectual property, technology, and inventions;

2. Patents, trademarks, and licenses;

3. Proprietary and confidential information;

4. Trade secrets, data, and databases;

5. Tools, methods, and processes;

6. Treatment models or techniques;

7. Administration protocols; and

8. Works of authorship.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2-808 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. The drug developer shall quarterly, prepare and submit to the State Department of Health:

1. A report on the progress of the multistate drug development clinical trials with ibogaine conducted pursuant to this act; and

2. A financial status report, including information to verify expenditures of state funds and required matching funds.

B. The State Department of Health shall submit a report to the Legislature on the progress of the drug development clinical trials and its related financial status by December 1 of each year until the clinical trials are concluded.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2-809 of Title 63, unless there is created a duplication in numbering, reads as follows:

The ibogaine intellectual property account shall be created in the Office of the State Treasurer. All receipts from the proceeds from the commercialization of intellectual property created through the public-private partnership created pursuant to Section 3 of this act shall be deposited into the account. Monies in the account shall be spent only after appropriation. Expenditures from this account shall be used only for programs or research benefitting at-risk populations that suffer from conditions treatable with ibogaine, including but not limited to traumatic brain injury, opioid use disorder, co-occurring substance use disorder, and other neurological or mental health disorders.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2-810 of Title 63, unless there is created a duplication in numbering, reads as follows:

Medical professionals licensed by the State of Oklahoma shall not be subject to adverse licensing action for recommending psilocybin or ibogaine therapy services.

SECTION 7. This act shall become effective November 1, 2026.

60-2-15886 TJ 01/14/26