STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

HOUSE BILL 4293 By: Pae

AS INTRODUCED

An Act relating to controlled dangerous substances; creating the Veterans Mental Health Innovation Act; authorizing certain entities to conduct scientific research and clinical trials related to ibogaine; specifying certain uses for which scientific research or clinical trials are authorized; limiting number of memoranda of agreement that universities or institutions of higher education may enter into; imposing requirements with respect to studies; requiring registration with the State Department of Health and the Oklahoma Department of Agriculture, Food, and Forestry; prescribing requirements for registration information; providing for specified nonrefundable fees; requiring additional registration with the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control; stipulating duration of registration; requiring certain notification of change of facility location; requiring written certifications for clinical trial participants; prescribing content of written certifications; providing for expiration of certifications; providing immunity to persons conducting or participating in research or clinical trials; requiring submission of written reports by certain date; providing for confidentiality of certain personal information; requiring specified agencies to maintain confidentiality with respect to information; directing promulgation of rules; 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 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:

A. This act shall be known and may be cited as the "Veterans Mental Health Innovation Act".

B. The purpose of this act is to allow states and commonwealths to join a multistate consortium to advance research on ibogaine as medical treatment.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2-811 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. A university or other institution of higher education located in this state, or a research facility that has entered into a memorandum of agreement with a university or institution of higher education located in this state, may conduct scientific research on ibogaine for the treatment of persons eighteen (18) years of age or older who experience any of the following medical conditions:

1. Posttraumatic stress disorder;

2. Treatment-resistant/refractory depression;

3. Treatment-resistant/refractory anxiety;

4. Treatment-resistant/refractory obsessive-compulsive disorder;

5. Traumatic brain injury;

6. Early-stage dementia;

7. Palliative care;

8. End-of-life care;

9. Opioid use disorder; or

10. Moderate to severe chronic pain.

B. The university or institution of higher education may enter into no more than one memorandum of agreement with a research facility for the purposes of conducting scientific research under this section.

C. In conducting such scientific research as described in subsection B of this section, the studies shall:

1. Study the therapeutic efficacy of using ibogaine in the treatment of the medical conditions listed in subsection B of this section;

2. Review the current literature regarding:

a. the safety and efficacy of using ibogaine in the treatment of the medical conditions listed in subsection C of this section, and

b. the access persons have to ibogaine for the treatment of the medical conditions listed in subsection A of this section; and

3. Examine the science of cultivation, synthesis, extraction, and processing of ibogaine as well as any other naturally occurring source organisms of these molecules.

D. 1. Eligible entities as described in subsection A of this section shall register with the State Department of Health and the Oklahoma Department of Agriculture, Food, and Forestry prior to and for the purposes of growing, studying, processing, or dispensing ibogaine-containing Tabernanthe iboga plant, or studying, extracting, synthesizing, or dispensing ibogaine. The registration submission information shall include:

a. the name and address of the research facility,

b. a prospectus approved by a university or other institution of higher education, and

c. certification from the institutional review board of the university or institution of higher education if human trials are part of the research.

2. By registering, the registrant acknowledges and agrees that:

a. the information contained in the registration submissions may be provided to law enforcement agencies, and

b. the registrant shall submit an annual report detailing compliance with annual regulation requirements.

3. The State Department of Health shall collect a one-time, nonrefundable fee of Five Hundred Dollars ($500.00) from the registrant at the time of registration and the Oklahoma Department of Agriculture, Food, and Forestry shall collect a one-time nonrefundable fee of One Hundred Dollars ($100.00) from the

registrant at the time of registration. The registrant shall, upon completion of registration with the State Department of Health and the Oklahoma Department of Agriculture, Food, and Forestry, register with the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control as provided by Section 2-301 et seq. of Title 63 of the Oklahoma Statutes annually for as long as the research remains active.

4. Registration under this subsection is valid for one (1) year, effective upon confirmation and receipt of all registrations required by this subsection. Notwithstanding the registration fee listed in Section 2-303 of Title 63 of the Oklahoma Statutes, the registration required by this subsection shall satisfy and supersede all other registration and reporting requirements otherwise imposed by state law.

5. Should the registrant change facility locations for the cultivation, testing, synthesis, storage, or dispensing of ibogaine, it shall report such changes within fourteen (14) business days to the State Department of Health, the Oklahoma Department of Agriculture, Food, and Forestry, and the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control.

E. 1. A written certification shall be issued to persons qualifying for participation in the pilot program described in this section by a physician participating in the pilot program. The written certification shall contain the following:

a. the name, address, and telephone number of the issuing physician,

b. the name and address of the patient to whom the written certification is issued,

c. the date on which the written certification was made,

d. the signature of the physician,

e. the quantity of ibogaine to be dispensed, and

f. the form of ibogaine to be dispensed.

2. The written certification issued under this subsection shall expire one (1) year after its issuance unless the written certification specifies an earlier date of expiration.

F. 1. A scientific researcher or physician operating under a valid registration issued in accordance with this section shall not be subject to arrest, prosecution, or any civil or administrative penalty for the possession, cultivation, synthesis, extraction, or distribution of ibogaine insofar as the scientific researcher's or physician's conduct is in compliance with the provisions of this section.

2. A patient participating in the pilot program under a valid written certification issued in accordance with this section shall not be subject to arrest, prosecution, or any civil or administrative penalty for the use or possession of ibogaine insofar as the patient's conduct is in compliance with the provisions of this section.

3. In any prosecution involving possession of ibogaine as those terms are specified in subsection C of Section 2-204 of Title 63 of the Oklahoma Statutes, it shall be an affirmative defense if a person can demonstrate by clear and convincing evidence that he or she has one or more of the qualifying medical conditions or circumstances listed in subsection B of this section. This subsection shall not be understood to be the decriminalization of ibogaine.

G. Researching entities shall submit a final written report to the President Pro Tempore of the Oklahoma State Senate and the Speaker of the Oklahoma House of Representatives containing the results of the studies conducted under this section and any recommendations for legislative or other actions not later than December 1, 2029.

H. Researching entities shall ensure any protected health information collected during the pilot program done in accordance with this section does not personally identify any individual.

I. The State Department of Health, the Oklahoma Department of Agriculture, Food, and Forestry, the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control, and any other state agency with access to the research programs authorized by this section shall not release or allow to be released through inaction any protected health information. The protected health information of

pilot program participants shall be exempt from the Oklahoma Open Records Act.

J. The State Commissioner of Health, the State Board of Agriculture, and the Director of the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control shall promulgate rules necessary to implement the program authorized in this section.

K. On the condition that ibogaine is approved by the Untied States Food and Drug Administration to treat a medical condition:

1. A licensed physician shall prescribe ibogaine for a patient; and

2. A licensed physician shall supervise the administration of ibogaine at a hospital or other licensed health care facility to ensure the patient's safety while the patient is under the influence of ibogaine.

SECTION 3. This act shall become effective November 1, 2026.

60-2-15634 TKR 01/12/26