

OPS Social Equity Plan Guidance and Resources

Updated January 25, 2024

Background

This document is intended to serve as a resource for manufacturer, service center, facilitator and laboratory license applicants, who are required by [Oregon Administrative Rule \(OAR 333-333-4020\)](#) to submit a Social Equity Plan as part of their license application with Oregon Psilocybin Services (OPS).

The purpose of the Social Equity Plan requirement is to ensure that every psilocybin licensee in Oregon considers how certain communities have been disproportionately harmed by systemic inequities and how they propose to address these inequities in their business practices. The Social Equity Plan is an opportunity for license applicants to state specific commitments to social equity and how those commitments will be integrated into business operations.

This document includes an overview of the Social Equity Plan requirements in administrative rules, an explanation of the process for developing the content in this document, some general guidance for what to include in a Social Equity Plan and in Annual Social Equity Evaluation Reports, and a selection of resources that can be helpful to applicants as they craft their Social Equity Plans.

Process for Developing this Document

The Oregon Psilocybin Services (OPS) team has been working with community partners across Oregon to identify options for addressing equity in the administration of the Oregon Psilocybin Services Act. OPS has also met with leaders implementing equity initiatives in the cannabis sector in California to understand lessons learned. OPS has scanned research and other publications to better understand social equity policies and programs within the cannabis sector.

The Oregon Psilocybin Advisory Board (OPAB) approved the Equity Subcommittee's recommendation that OHA require Social Equity Plans as a condition of licensure ([OPAB Recommendations, pages 4 and 41-42](#)). This recommendation was adopted in final administrative rules. During the November

2022 rulemaking public comment period, OPS received requests for information or resources for the Social Equity Plan requirement. OPS also received feedback that creating too complex of a requirement could be counterproductive to advancing social equity, as it may become overly burdensome, time-consuming or lead applicants to pay consultants for additional planning expertise.

Drawing from research, recommendations and community input, OPS drafted this document to provide more information and resources for license applicants. This document was reviewed by the Oregon Health Authority Public Health Division's Equity Team. OPS expects that this document will evolve over time, as we collectively learn more about effective social equity plans and identify new resources.

Social Equity Plan Requirements in Administrative Rules

Every OPS licensee is part of the creation of equitable psilocybin services in Oregon. The Social Equity Plan requirement is an administrative rule requirement and licensees will be held accountable if they violate these rules. Oregon Administrative Rule (OAR 333-333-4020) states that social equity plans must include a description of the following:

- (a) Application of diversity, equity, justice and inclusion principles to the licensee's internal practices and policies.
- (b) Objective performance measures that the licensee will use to evaluate their social equity plan.

Upon renewal of a license, a licensee must provide documentation of how their Social Equity Plan has been implemented and evaluated, using the objective performance measures required in social equity plans. If an Annual Social Equity Evaluation Report does not sufficiently meet the administrative rule requirements, a license may not be renewed.

Licensees may update their social equity plans during the annual license renewal process. At any other time, licensees must provide written notice of any material

changes to their social equity plan within 60 days of making the change and a change request fee will be charged.

Facilitator Social Equity Plan Requirements

Facilitators Contracting with a Service Center

If a facilitator contracts with a service center, they must submit their own social equity plan that meets all Social Equity Plan requirements.

Facilitators Employed by a Service Center

If a facilitator is an employee of a licensed service center, the Social Equity Plan requirements can be fulfilled by submitting a statement that they are an employee of the service center and including a copy of the service center's Social Equity Plan. If a facilitator is an employee of more than one service center, the statement must identify each service center that employs the facilitator, and the facilitator must submit a copy of each of the Social Equity Plans.

Facilitators Unsure if They Will be Contracting with or Employed by a Service Center

If a facilitator is unsure if they will be contracted with or employed by a service center, they must submit their own social equity plan that meets all Social Equity Plan requirements.

Facilitators Intending to be Employed by a Service Center but Not Yet Employed

If, at the time of submitting the Social Equity Plan, an applicant intends to be employed by a specific licensed service center but is not yet employed, the applicant must still submit a Social Equity Plan that describes how justice, equity, diversity, and inclusion principles will be defined and applied in the applicant's practice. Then the applicant must either include a statement indicating they will reference the service center's objective performance measures or develop their own objective performance measures.

Guidance for Creating a Social Equity Plan

There is no size or page requirement for Social Equity Plans and applicants are encouraged to keep Social Equity Plans clear and actionable. Social Equity Plans must have at least two components: a) a description of how justice, equity, diversity, and inclusion (JEDI) principles will be defined and applied in the licensee's practices and policies, and b) objective performance measures that

the licensee will use to evaluate their progress. Below is more guidance on how these two requirements can be met.

In several places the guidance mentions “priority populations”. OPS aligns with priority populations defined in Healthier Together Oregon (HTO) and prioritizes Tribal and Veteran populations. Please visit: Priority Populations for [Healthier Together Oregon](#) and [Explore the HTO Plan](#) for more ideas on how to align with the HTO vision of achieving health equity in Oregon.

a) Define justice, equity, diversity, and inclusion principles and how they will be applied in practices and policies.

How applicants can meet this requirement:

1. Applicants can identify and define the JEDI principles that are meaningful to them and their role as an OPS licensee. They may also include statements of commitments to these principles.
2. Applicants can describe how the JEDI principles identified will be applied to their practices and policies, including any acknowledgement of challenges and opportunities identified. Examples include but are not limited to:
 - A description of how specific practices or policies align with, and advance [Healthier Together Oregon](#) goals.
 - A description of actions being taken to increase diversity in ownership, management, and employment in Oregon’s psilocybin ecosystem.
 - A description of any workforce training and investments in justice, equity, diversity, and inclusion work.
 - A description of communities or [priority populations](#) the applicant intends to serve and any partnerships with community leaders or community organizations that will help community members access services.

- A description of how the applicant will support other licensees who identify as Black, Indigenous, People of Color, Tribal members, LGBTQIA2S+, Veterans or other [priority populations](#).
- A description of any outreach, mentoring, training, or professional development that will be offered by the applicant.
- A description of how the applicant may support equity for specific communities and how objective criteria will be used to determine who qualifies for assistance (such as reduced rates, sliding scale pricing, subsidies, reciprocity, etc.).
- A description of how the applicant intends to receive feedback and improve JEDI practices and policies based on that feedback.
- A description of how the applicant will provide reciprocity to indigenous communities.

* Please note that Social Equity Plans are not required to include all actions listed above. This list provides examples of what could be included. Applicants may also plan to take other actions not listed here.

b) Identify at least one objective performance measure that will be used to evaluate the social equity plan.

An objective performance measure is a concrete way to evaluate progress in meeting Social Equity Plan goals. Objective performance measures include clearly defined data and a process for collecting the specific data that will be used to measure performance. Objective performance measures help us understand how effective the Social Equity Plan is and what improvements may be needed to support justice, equity, diversity, and inclusion. Examples for how to meet this requirement:

1. Make specific annual goals that are directly tied to the JEDI principles and application of those principles described in the first component (a) of the Social Equity Plan.

2. Although we encourage more than one goal, applicants must identify at least one goal that can be measured and how the applicant plans to measure them. OPS encourages applicants to set goals that are JEDI-SMART. This means focused on Justice, Equity Diversity, and Inclusion (JEDI) and Specific, Measurable, Achievable, Relevant, and Time-bound (SMART). This will look different for different licensees based on their specific scope of work. Here are some example goals and performance measures:
- If the applicant plans to hire a diverse workforce, what percentage of employees will identify as a member of a priority population and how will this be known? How will the applicant receive feedback from their workforce?
 - If the applicant plans to invest in continuing education or JEDI training, how many hours will be invested per year and how will they track progress in integrating learnings into business practices and policies?
 - If the applicant plans to receive feedback from clients or community about how the business is applying JEDI principles, how specifically will the applicant gather that feedback – what questions will be asked and how many people will be asked? What will the applicant do with that feedback?
 - If the applicant plans to offer expertise to other licensees or prospective licensees who identify as members of a priority population, how will those connections be made and how many hours will they spend mentoring or providing guidance?
 - If the applicant plans to provide a reduced rate for certain communities and/or priority populations, what criteria will be used to determine eligibility and what percentage or how many of your clients will benefit from that assistance?
 - If the applicant plans to provide reciprocity to indigenous communities, what percent of profits will be shared with

organizations serving indigenous peoples and/or how many hours will be devoted to working alongside indigenous people in support of transformational – not transactional – partnerships?

- If the applicant plans to join advocacy efforts to advance racial justice and health equity in Oregon, how many hours will be spent volunteering time toward those advocacy efforts and/or how many public comments or testimonies will be submitted into public record?

* Please note that the goals and performance measures listed directly above are only listed to provide examples. When crafting objective performance measures, applicants should make sure they can rely on data that can be collected and that can be reported at the time of annual license renewal.

Guidance for Annual Social Equity Evaluation Reports

Upon renewal of a license, a licensee must provide documentation of how their Social Equity Plan has been implemented and evaluated, using the objective performance measures required in Social Equity Plans. In general, the time of license renewal is a good time for licensees to consider updating their Social Equity Plans. Please see [Guidance for OPS Licensees on Preparing Annual Social Equity Evaluation Reports](#), for more information.

Resources for Social Equity Planning

Below is a selection of resources that applicants may find useful in developing Social Equity Plans.

[Medical Cannabis Dispensary Social Equity Plans](#)

San Francisco Office of Cannabis

This page provides the content of 40 different social equity plans submitted by medical cannabis dispensaries to the City of San Francisco's Office of Cannabis.

[Cannabis Licensees with Published Social Equity Plans](#)

Michigan Cannabis Regulatory Agency

This page provides links to over 60 different social equity plans submitted by businesses licensed under the Michigan Cannabis Regulatory Agency.

[SMARTIE Goals Worksheet](#)

The Management Center

The SMARTIE (Strategic, Measurable, Ambitious, Realistic, Time-bound, Inclusive, and Equitable) Goals Worksheet helps incorporate equity and inclusion components into organizational goals. The worksheet template is available to download as a Google document, Word document, and in both English and Spanish. There are also many other tools available on The Management Center's [Equity and Inclusion main page](#).

[Equity and Empowerment Lens](#)

Multnomah County Office of Diversity and Equity

The Equity and Empowerment Lens is a tool used to improve planning, decision-making and resource allocation leading to more racially equitable policies and programs. It includes a logic model tool that looks at transformative change at the individual, institutional, and systemic levels, and a 5P's Worksheet tool that asks major questions in the areas of people, place, process, power, and purpose.

[Race, Equity, Justice Initiative \(REJI\) Organizational Toolkit & Guides](#)

JustLead Washington

This toolkit is designed to help organizations understand and incorporate racial equity into their work. Among its tools and resources, the toolkit provides an assessment tool that organizations can use to assess and advance their practices, policies, and culture to operationalize racial equity and support the development of organizational equity plans.

Cannabis Equity in California

California Department of Cannabis Control

This page offers some general information about the effects of cannabis criminalization and the challenges of entering the cannabis industry in California. It spotlights some local equity promising practices.

References

1. 2022 SUPERNOVA Social equity Impact Report.
<https://www.supernovawomen.com/news/social-equity-impact-report-2022>
2. Aziz, N. (2021). Oakland's Cannabis Social Equity Program: Reversing The War on Drugs. *UC Berkeley: Institute of Governmental Studies*. Retrieved from
<https://escholarship.org/uc/item/1wx6w6w2>
3. City of Oakland. Cannabis Business Tax Rebate Program.
<https://www.oaklandca.gov/topics/2020-business-tax-rebate-program>
4. Gerber, Marisa. "California promised 'social equity' after pot legalization. Those hit hardest feel betrayed". Los Angeles Times, January 27, 2022.
<https://www.latimes.com/california/story/2022-01-27/california-pot-industry-social-equity-broken-promises>
5. Marijuana Policy Project (2021). Social Equity Policies in Adult-Use Legalization Laws.
<https://www.mpp.org/issues/legalization/social-equity-policies-in-adult-use-legalization-laws/>
6. Massachusetts Cannabis Control. State Medical Marijuana Social Equity Plan Comparison: For Discussion Purposes Only. <https://mass-cannabis-control.com/wp-content/uploads/2017/12/Social-Equity-Combined-Handout.pdf>
7. Oregon Health Authority, 2020. [Healthier Together Oregon: State Health Improvement Plan.](#)
8. ORS 475: Psilocybin Regulation, 2021 Edition. Retrieved at:
https://www.oregonlegislature.gov/bills_laws/ors/ors475A.html
9. Oviedo, Dana (2021). [Social Equity: Will the Cannabis Industry Choose to Overcome Its Lack of Diversity?](#) Golden Gate University Race, Gender, Sexuality, and Social Justice Law Journal.
10. State of Oregon 2021. Diversity, Equity, and Inclusion Action Plan. [Diversity Equity and Inclusion Action Plan](#)
11. Thrul, J. and Garcia-Romeu, A. (2021). [Whitewashing psychedelics: racial equity in the emerging field of psychedelic-assisted mental health research and treatment.](#) *Drugs: Education, Prevention and Policy*. Vol 28 – Issue 3.
12. Williams MT, Labate B. (2020). [Diversity, equity, and access in psychedelic medicine.](#) *Journal of Psychedelic Studies* 4(1), pp 1-3.