Mason Maxwell Marks, MD, JD

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Florida State University College of Law 425 W. Jefferson Street Tallahassee, FL 32306 Petrie-Flom Center Harvard Law School Cambridge, MA 02138

Primary Academic Appointments

Florida State University College of Law, Tallahassee, FL

Associate Professor and Florida Bar Health Law Section Professor of Law, May 2022 - present

Harvard Law School, Cambridge, MA

Senior Fellow, Petrie-Flom Center for Health Law Policy, Biotechnology, and Bioethics, July 2021 – present

Visiting Academic Appointments

Harvard Law School, Cambridge, MA

Visiting Professor of Law, Spring 2024 and Fall 2024.

Yale Law School, New Haven, CT

Visiting Fellow, Information Society Project, Nov 2023 – present and July 2017 – July 2019.

Previous Academic Appointments

University of New Hampshire Franklin Pierce School of Law, Concord, NH

Assistant Professor of Law, July 2021 – May 2022

Harvard Law School, Cambridge, MA

Joint Fellow-in-Residence, Petrie-Flom Center & Harvard Safra Center for Ethics, Aug 2020 – Aug 2021

Gonzaga University School of Law, Spokane, WA

Assistant Professor of Law, Aug 2019 – May 2021

New York University School of Law, New York, NY

Research Scholar, Information Law Institute (ILI), Aug 2018 – Aug 2019

Education

Vanderbilt Law School, Nashville, TN

Juris Doctor, May 2015

Tufts University School of Medicine, Boston, MA

Doctor of Medicine, November 2011

Amherst College, Amherst, MA

Bachelor of Arts (Biology), May 2000

Law Review Articles and Essays

Refocusing Freedom of Thought, CORNELL LAW REVIEW (forthcoming 2026).

Decriminalizing Drugs, TEXAS LAW REVIEW (forthcoming 2026).

Separation of Drug Scheduling Powers, 134 YALE LAW JOURNAL FORUM 976 (2025).

State Drug Laws, 93 FORDHAM LAW REVIEW 439 (2024).

Cognitive Content Moderation: Freedom of Thought and the First Amendment Right to Receive Subconscious Information, 76 FLORIDA LAW REVIEW 469 (2024).

Microdosing Psychedelics Under State and Federal Law, 103 BOSTON UNIVERSITY LAW REVIEW 573 (with I. Glenn Cohen, et al., 2023).

Automating FDA Regulation, 71 DUKE LAW JOURNAL 1207 (2022).

Patents on Psychedelics: The Next Legal Battlefront of Drug Development, 135 HARVARD LAW REVIEW FORUM 212 (with I. Glenn Cohen, 2022). Featured on HBO's Last Week Tonight with John Oliver.

Biosupremacy: Big Data, Antitrust, and Monopolistic Power Over Human Behavior, 55 U.C. DAVIS LAW REVIEW 513 (2021).

Emergent Medical Data: Health Information Inferred by Artificial Intelligence, 11 U.C. IRVINE LAW REVIEW 995 (2021). Cited by the Federal Trade Commission in a 2023 notice of proposed rulemaking regarding data breach notification.

Controlled Substance Regulation for the COVID-19 Mental Health Crisis, 72 ADMINISTRATIVE LAW REVIEW 649 (2020). Cited by U.S. Court of Appeals for the Ninth Circuit in AIMS Institute v. Garland.

Artificial Intelligence Based Suicide Prediction, 21 YALE JOURNAL OF LAW AND TECHNOLOGY 98 (2019). Featured by the New York Times.

Psychedelic Medicine for Mental Illness and Substance Use Disorders: Overcoming Social and Legal Obstacle, 21 NYU JOURNAL OF LEGISLATION AND PUBLIC POLICY 69 (2018). Cited by the Substance Abuse and Mental Health Services Administration (SAMHSA).

Academic Books

PSYCHEDELIC LAW AND POLITICS, Yale University Press (forthcoming 2026).

PSYCHEDELIC MEDICINE: LAW AND POLICY, Co-editor, Cambridge University Press (forthcoming 2026).

Academic Book Chapters

Constitutional Dimensions of Psychedelic Law (with Robert Mikos) in PSYCHEDELIC MEDICINE: LAW AND POLICY, Cambridge University Press (forthcoming 2026).

People Are the Lifeblood of Innovation, in THE CAMBRIDGE HANDBOOK OF INTELLECTUAL PROPERTY AND SOCIAL JUSTICE (Stephen D. Jamar & Lateef Mtima eds., 2024).

Algorithmic Disability Discrimination, in DISABILITY, HEALTH, LAW AND BIOETHICS (I. Glenn Cohen ed., 2020).

Scientific Journal Articles

Psychedelic Medicine Exceptionalism, 25 AMERICAN JOURNAL OF BIOETHICS 6 (with I. Glenn Cohen, 2025).

FTC Regulation of AI-Generated Medical Disinformation, 332 JAMA 1975 (with Claudia Haupt, 2024).

Psychedelic Therapy Scrutinized by FDA Advisory Committee? 332 JAMA 963 (2024).

Addressing Key Ethics and Policy Issues in the Clinical Integration of Psychedelic Therapies, 7 JAMA NETWORK OPEN e2414650 (with I. Glenn Cohen, et al., 2024).

Essentials of Informed Consent to Psychedelic Medicine, 81 JAMA PSYCHIATRY 611 (with I. Glenn Cohen, et al., 2024).

State-regulated psychedelics on a collision course with the FDA, 330 JAMA 2337 (2023).

How should the FDA evaluate psychedelic medicines? 389 NEW ENGLAND JOURNAL OF MEDICINE 1733 (with I. Glenn Cohen, 2023).

Integrating Psychedelics into End-of-Life Care, 1 NATURE MENTAL HEALTH 920 (with I. Glenn Cohen, 2023).

AI Chatbots, Health Privacy, and Challenges to HIPAA Compliance, 330 JAMA 309 (with Claudia Haupt, 2023). Cited by World Health Organization.

AI-Generated Medical Advice: GPT and Beyond, 329 JAMA 1349 (with Claudia Haupt, 2023). Cited by United Nations Human Development Report Office.

Drug Scheduling Limits Access to Essential Medicines and Should be Reformed, 29 NATURE MEDICINE 294 (with Carmel Shachar, 2023).

The Varieties of Psychedelic Law, 226 NEUROPHARMACOLOGY 109399 (2023).

Returning Individual Research Results from Digital Phenotyping, 24 AMERICAN JOURNAL OF BIOETHICS 69 (with Francis Shen, et al., 2023).

Psychedelic Therapies: A Roadmap for Wider Acceptance and Utilization, 27 NATURE MEDICINE 1669 (with I. Glenn Cohen, 2021).

Governing AI-Driven Health Research: Are IRBs up to the Task? 43 ETHICS & HUMAN RESEARCH 35 (with Phoebe Friesen et al., 2021).

Selected Academic Presentations

Psychedelics, Politics, and Federalism, Panelist, Psychedelics and the Law, University of Texas School of Law, Austin, TX, May 12, 2025.

Law and Indigenous Psychedelic Use, Panelist and Organizer, 2025 PULSE Symposium, Harvard Law School, Cambridge, MA, April 10, 2026.

Refocusing Freedom of Thought, Panelist, Cornell Law Review Symposium, Cornell Law School, Ithaca, NY, November 14, 2025.

Federal Psychedelic Law, Panelist and Organizer, Harvard Law School Psychedelic Policy Summit 2025, Harvard Law School, Cambridge, MA, November 5, 2025.

Psychedelic Law, Presenter, 2025 ACMT Psychedelics Summit, American College of Medical Toxicology, October 10, 2025.

Psychedelic Law, Presenter, Council on Psychiatry and Law and Committee on Judicial Action, American Psychiatric Association, October 9, 2025.

Federal Regulation of Psychedelic Substances, Panelist, Psychedelic Bootcamp 2025, Harvard Law School, Cambridge, MA, July 14, 2025.

Symposium on Psychedelics in Monotheistic Traditions, Speaker and Conference Advisory Board Member, Harvard Law School, Cambridge, MA, March 5-6, 2025.

Psychedelic Law, Health, and Emerging Regulatory Trends, Organizer and Moderator, Solomon Center for Health Law & Policy, Yale Law School, New Haven, CT, February 20, 2025.

Sacred Rights: Psychedelics, Law, and Spirituality, Organizer and Moderator, Harvard Law School, Cambridge, MA, February 14, 2025.

The Constitution and the War on Drugs: A Conversation with David Pozen and Jeannie Suk Gersen, Moderator, Harvard Law School, Cambridge, MA, November 21, 2024.

Psychedelics and the Law, Presenter, Massachusetts General Hospital Psychiatry Academy Conference on Psychedelics & Psychedelic Medicine, Boston, MA, November 15, 2024.

FTC Regulation of AI-Generated Medical Disinformation, Presenter, 2024 Harvard/NYU/Penn Trademark and Unfair Competition Scholarship Roundtable (with Claudia Haupt), Harvard Law School, Cambridge, MA, October 18, 2024.

The Promise of Life: Spiritual Traditions and Biotechnological Futures, Workshop Participant, Harvard Kennedy School, Cambridge, MA, September 27, 2024.

Legal Implications of Radical Life Extension, Workshop Participant, American Law Institute, Salk Institute, La Jolla, CA, September 20, 2024.

FDA Regulation of Psychedelic Medicines, Yale Depression Research Program Education Rounds, Yale School of Medicine, New Haven, CT, August 12, 2024.

U.S. Drug Policy Trends, Speaker, NYU School of Law, New York, NY, July 10, 2024. Current Trends in State Psychedelic Law, Presenter, Massachusetts General Hospital, Boston, MA, May 28, 2024.

LLMs and the Fight for Cognitive Liberty, Discussant, Freedom of Expression Scholars Conference, Yale Law School, New Haven, CT, April 26, 2024.

Religious Freedoms and State Psychedelic Laws, Presenter, Psychedelics & Ethics, Harvard Divinity School, Cambridge, MA, April 16, 2024.

Generating Medical Disinformation, Presenter, Yale Law School Conference on Propaganda and Emerging Technologies, Yale Law School, New Haven, CT, April 5, 2024.

State-Regulated Psychedelic Programs, Guest Lecturer, University of Houston Law Center, Houston, TX, March 27, 2024.

Regulation of AI Chatbots in Healthcare, Presenter, Villanova Law Review Annual Symposium, Villanova, PA, March 15, 2024.

Consideration of Indigenous Psychedelic Traditions by State Psychedelic Regulators, Presenter, Harvard Divinity School Center for the Study of World Religions, Cambridge, MA, February 17, 2024.

Psychedelic Law and Regulation, Presenter, University of Miami Law Review Annual Symposium, February 9, 2024.

FDA Regulation of Psychedelic Medicines, Discussant, U.S. Food and Drug Administration, Washington, DC, February 2, 2024.

Psychedelic Law and Policy, Presenter, UCLA School of Law, Health Law and Policy Program, Los Angeles, CA, November 13, 2023.

Regulating Psychedelic Medicines, Massachusetts Medical Society, Boston, MA, November 6, 2023.

Cognitive Content Moderation, Presenter, Civil Rights and Civil Liberties in the Digital Age, Fordham University School of Law, New York, NY, October 5, 2023.

Integrating Psychedelics into End-of-Life Care, Presenter, Law and Medicine Grand Rounds, Memorial Sloan Kettering Cancer Center, New York, NY, July 13, 2023.

A Public Health Approach to Psychedelics Regulation, Presenter, Canadian Public Health Association, Ottawa, Ontario, Canada, June 27, 2023.

National Psychedelic Policy Update, Presenter, Banbury Center, Cold Spring Harbor Laboratory, Cold Spring Harbor, NY, June 10, 2023.

Cognitive Content Moderation, Presenter, 2023 Privacy Law Scholars Conference (PLSC), University of Colorado School of Law, Boulder, CO, June 2, 2023.

The Varieties of Psychedelic Law, Presenter, Cleveland Clinic Psychedelic Science Group, Cleveland Clinic, Cleveland, OH, February 23, 2023.

The Varieties of Psychedelic Law, Presenter, Johns Hopkins Center for Psychedelic and Consciousness Research, Johns Hopkins University School of Medicine, Baltimore, MD, February 15, 2023.

Seton Hall Health Law Faculty Workshop, Commentator, Seton Hall Law School, Newark, NY, January 13, 2023.

Current Trends in Psychedelic Law and Regulation, Presenter, Yale Psychedelic Science Group, Yale School of Medicine, New Haven, CT, December 13, 2022.

Comparing Legal Approaches to Accessing Psychedelics, Moderator, Petrie-Flom Center, Harvard Law School, Cambridge, MA, December 7, 2022.

Law and Artificial Intelligence, Guest Lecturer, NYU School of Law, New York, NY, October 11, 2022. Regulating Psychedelic Substances, Guest Lecturer, Harvard Medical School, Boston, MA, October 6, 2022.

A First Amendment Right to Subconscious Information, Presenter, Freedom of Expression Scholars Conference, Yale Law School, New Haven, CT, May 1, 2022.

Automating FDA Regulation, Presenter, U.S. Food and Drug Administration Committee for the Advancement of Clinical and Scientific Education (CACSE), Silver Spring, MD, April 6, 2022.

Big Data and Biopsupremacy After COVID-19, Presenter, Antitrust in the Aftermath of a Public Health Crisis, Jaharis Health Law Institute, DePaul University College of Law, Chicago, IL, March 10, 2022.

Automating Health Innovation Regulation, Conference Organizer and Presenter, Duke Law Journal 52nd Annual Administrative Law Symposium, Duke Law School, Durham, NC, February 12, 2022.

Coalition Building to Unlock the Therapeutic Effects of Psychedelics, Moderator, Solomon Center for Health Law and Policy, Yale Law School, New Haven, CT, February 2, 2022.

Selected Media Quotes, Interviews, and Citations

<u>Magic Mushroom Edibles Found to Contain Undisclosed Ingredients—And No Psilocybin</u>, Scientific American (September 11, 2025).

'The Magic of Burning Man': Elon Musk's DOGE Point Man is Now An MDMA Consigliere, Gizmodo (August 30, 2025).

How Elon Musk's billionaire Doge lieutenant took over the US's biggest MDMA company, The Guardian (August 28, 2025).

Experts Assess Landscape Surrounding Law and Psychedelics, Yale Law School News (February 24, 2025).

The FDA restricts a psychoactive mushroom used in some edibles, NPR Weekend Edition (December 21, 2024).

Possible Paths for Drug Reform, Harvard Law Today (December 9, 2024).

State votes on psychedelics and marijuana signal drug policy concerns, Wall Street Journal (November 8, 2024).

<u>Voters to decide whether Massachusetts can legalize certain psychedelic drugs, NPR Morning Edition (November 4, 2024).</u>

<u>Ballot Question 4 to Legalize Psychedelics Draws National Attention — and Dollars</u>, Harvard Crimson (October 22, 2024).

Future MDMA Treatment Following FDA's Rejection, Cato Daily Podcast, Cato Institute (September 12, 2024).

FDA rejects ecstasy as a therapy: what's next for psychedelics? Nature (August 13, 2024).

<u>The FDA Didn't Approve MDMA</u>. Is the Medical System Ready for Any Psychedelic? TIME (August 12, 2024).

FDA gives thumbs down to MDMA for now, demanding further research, NPR Shots (August 9, 2024).

Mushroom edibles are rising in popularity. It's hard to say what's in them, NBC News (July 18, 2024).

F.D.A. Warns Against 'Microdosing' Mushroom Chocolate Bars, New York Times (June 10, 2024).

<u>FDA Advisors' scrutiny of MDMA therapy is 'temporary setback,' says Harvard researcher</u>, WBUR (June 7, 2024).

MDMA, the chemical found in the drug ecstasy, may soon be approved to treat PTSD, Morning Edition (June 4, 2024).

The State of Psychedelics, Oprah Daily (May 6, 2024).

<u>Treat addiction with psychedelics?</u> Harvard Gazette (March 22, 2024).

The Psychedelic Evangelist, New York Times (March 21, 2024).

What psychedelics legalisation and decriminalisation looks like around the world, BBC (March 21, 2024).

<u>OpenAI CEO Sam Altman says 'very subtle societal misalignments' with AI keep him up at night</u>, Fortune (February 13, 2024).

Why regulators may toss cold water on buzz over psychedelics, The Harvard Gazette (January 24, 2024).

Ethics and governance of artificial intelligence for health: guidance on large multi-modal models, World Health Organization (January 18, 2024).

FDA to review MDMA-assisted therapy, a milestone for psychedelics, Washington Post (December 12, 2023).

<u>Massachusetts weighs the legalization of psychedelics—and the future of tripping?</u> Boston Globe (December 3, 2023).

<u>AI is driving Google's health care business. Washington doesn't know what to do about it</u>, Politico (December 4, 2023).

<u>How should the FDA evaluate psychedelic medicines?</u> New England Journal of Medicine Podcast (November 9, 2023).

'Dr. Google' meets its match in Dr. ChatGPT, National Public Radio (September 16, 2023).

Your Medical Devices Are Getting Smarter. Can the FDA Keep Up? Wall Street Journal (October 9, 2023).

Psychedelics and the Advance of Cognitive Liberty, Cato Daily Podcast, Cato Institute (August 21, 2023).

Docs Using AI? Some Love It, Most Remain Wary, Medscape (August 15, 2023).

Psychedelic Therapy Is Here, Just Don't Call It Therapy, Wired (June 15, 2023).

People are using ChatGPT like a personal trainer, NBC News (June 14, 2023).

Martin Shkreli's 'Bizarre' AI Chatbot Is a Medical and Legal Nightmare, The Daily Beast (April 22, 2023).

<u>US could soon approve MDMA therapy</u>—opening an era of psychedelic medicine, Nature (April 19, 2023).

Psychedelic Assisted Therapy, Last Week Tonight with John Oliver on HBO (February 20, 2023).

Oregon Bill Would Track Psychedelics Clients, Lucid News (January 19, 2023).

Big Ouestions Surround the Rollout of Psychedelics in Colorado, 5280 Magazine (December 16, 2022).

Coloradans voted to legalize psilocybin. What's next? Colorado Public Radio (November 25, 2022).

<u>Legalized recreational weed in South Dakota gets election redo this November</u>, ABC News (October 25, 2022).

The 18 power players shaping the future of the legal magic-mushroom market in the US, Business Insider (June 15, 2022).

Oregon psilocybin rules shape who can provide and access care, Oregon Public Broadcasting (June 9, 2022).

The rise of psychedelic medicine, Texas Public Radio (April 21, 2022).

<u>A Ketamine Clinic Treads the Line Between Health Care and a Spa Day for Your Brain</u>, New York Times (March 11, 2022).

'It's not medical': Oregon wrestles with how to offer psychedelics outside the healthcare system, STAT (March 10, 2022).

<u>Oregon proposes using only one type of mushroom for new psilocybin system, and no pills</u>, Oregon Public Broadcasting (February 8, 2022).

<u>Panel Discusses Coalition Building to Unlock Therapeutic Effects of Psychedelics</u>, Yale Law School Today (February 8, 2022).

Selected Essays and Opinion Articles

<u>Is Colorado's psychedelic advisory board above board?</u> Denver Post (October 6, 2023).

Seeking Psychedelics? Check the Data Privacy Clause, WIRED Magazine (November 2, 2022).

A Strategy for Rescheduling Psilocybin, Scientific American (October 11, 2021).

Proposed kratom ban will harm public and FDA credibility, STAT First Opinion (August 23, 2021).

Legalization of Psychedelic Substances, JAMA, (December 21, 2021).

Inside the Fight to Legalize Psilocybin Therapy in Oregon, Gizmodo (October 22, 2020).

Why D.C. and Oregon Should Vote Yes on Psychedelics, Slate (October 19, 2020).

The Americans with Disabilities Act Turns 30. It Needs to be Updated, Los Angeles Times (July 25, 2020).

<u>Websites Need to Become 'Places of Public Accommodation' Under the Americans with Disabilities Act,</u> The Hill (June 8, 2020).

Drug Regulation for the COVID Mental Health Crisis, Harvard Law and Policy Review Blog (May 30, 2020).

<u>A Right to Digital Self-Defense Will Help Prevent Abuse of COVID-19 Surveillance Apps</u> (with Ido Kilovaty), The Hill (April 19, 2020).

You Shouldn't Have to Give Google Your Data to Access a COVID-19 Test, Slate (March 17, 2020).

The Right Questions to Ask About Google's Project Nightingale, Slate (November 20, 2019).

Artificial Intelligence for Suicide Prediction, Balkinization (October 30, 2018).

Professional Service

- Grant Reviewer: National Science Foundation.
- Grant Reviewer: Lund University.
- Peer Reviewer: Oxford University Press, Cambridge University Press, Law and Social Inquiry, NYU Law Review, Journal of the American Medical Association (JAMA), Nature Medicine, JAMA Internal Medicine, JAMA Psychiatry, American Journal of Psychiatry, British Medical Journal (BMJ), American Journal of Public Health, Medical Humanities, and Journal of Law and the Biosciences.
- Provided technical assistance to:

New Hampshire State Representative Albert "Buzz" Scherr (2025).

U.S. Senator Elizabeth Warren (2024).

U.S. Representative Ro Khanna (2022 – 2024).

U.S. Food and Drug Administration (2024).

World Health Organization (2024).

Connecticut State Representative Steven Stafstrom (2024).

Minnesota Psychedelic Task Force (2024).

Vermont Psychedelic Therapy Task Force (2024).

Seattle City Council (2021).

Washington State Senator Jesse Salomon (2022).

Alaska State Representative Jennie Armstrong (2022).

- Advisory Board Member: Symposium on Psychedelics in Monotheistic Traditions, Harvard Law School, Cambridge, MA, March 2025.
- Planning Committee: 2022 Conference on Artificial Intelligence, Ethics, and Society, Oxford, UK.
- Governor Appointed Member: Oregon Psilocybin Advisory Board, March 2021 March 2022.
- Chair of Licensing Subcommittee: Oregon Psilocybin Advisory Board, April 2021 March 2022.

University Service

- Faculty mentor, Florida State Undergraduate Research Opportunity Program (advised six undergraduates in 2024-2025 and 2025-2026), August 2024 present.
- Note writing mentor to members of Florida State University Law Review (advised five students in 2024-2025 and three students in 2025-2026).
- Faculty Advisor, Health Law Society, Florida State University College of Law, August 2025 present.

- Faculty Senate Undergraduate Curriculum Committee, Florida State University, August 2024 present.
- Provost's Faculty Travel Grant Advisory Committee, Florida State University, August 2024 June 2027.
- Student Affairs Committee, Florida State University College of Law, August 2025 present.
- Appointments Committee for Visiting Assistant Professors, Florida State University College of Law, August 2024 May 2025.
- Faculty Enrichment Committee, Florida State University College of Law, July 2022 present.
- Admissions Committee, Florida State University College of Law, August 2023 May 2024.
- Appointments Committee, Florida State University College of Law, July 2022 May 2023.
- Academic Affairs Committee, University of New Hampshire Franklin Pierce School of Law, August 2021 May 2022.
- Curriculum Committee, University of New Hampshire Franklin Pierce School of Law, August 2021 May 2022.
- Faculty Advisor, Health Law Society, Gonzaga University School of Law, September 2019 May 2021.
- Scholarship Committee, Gonzaga University School of Law, 2019 2020 academic year.

Work and Volunteer Experience

Yale Journal of Health Policy, Law, and Ethics, New Haven, CT

Managing Editor, February 2018 – May 2019

Yale Law School, New Haven, CT

Research Assistant to Professor Ian Ayres, October 2017 – December 2017

Self-employed, San Jose, CA

Business and Intellectual Property Attorney, October 2016 – December 2017

Knobbe Martens, San Francisco, CA

Associate, September 2015 – September 2016

Knobbe Martens, San Francisco, CA

Summer Associate, Summer 2015

Bar Admission

California Bar, member in good standing, June 1, 2016 – present.