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Senate Finance Committee

March 27, 2025

House Bill 820 – *Health Insurance – Utilization Review – Use of Artificial Intelligence*

POSITION: SUPPORT

The Maryland State Medical Society (MedChi), the largest physician organization in Maryland, supports House Bill 820. This bill requires a health insurance carrier, pharmacy benefit manager, or a private review agent that uses “artificial intelligence” (AI), algorithms, or other software tools for utilization review (including working through an entity that uses such tools) to ensure that such tools are used in a specified manner, such as ensuring that any utilization review decisions are still based on an enrollee’s specific medical or other clinical history and that the final decision must be made by a physician in the same specialty with clinical experience as the medical condition being reviewed. The bill also alters the information a carrier must submit in its quarterly adverse decisions and grievances report, including whether an AI, algorithm, or other software tool was used to make an adverse decision.

Over the last several years, the State has made significant strides in tightening the laws surrounding prior authorization, including ensuring that a physician in the same specialty makes the final decision on whether a healthcare service will be denied. House Bill 820 ensures that this requirement remains in place and that an algorithm cannot replace medical decisions of physicians. Therefore, we request a favorable vote.

For more information call:

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