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House Health Committee

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House Bill 1385 – *Health Insurance – Use of Artificial Intelligence – Human Evaluation*

POSITION: SUPPORT WITH AMENDMENT

The Maryland State Medical Society (MedChi), the largest physician organization in Maryland, **supports with amendment** House Bill 1385, which requires that an audit or compliance review of an artificial intelligence, algorithm, or other software tool must include the human evaluation of a patient’s medical records by a licensed health care professional that takes into consideration the patient’s specific circumstances and allows the licensed health care professional to question, modify, or override a determination made by the artificial intelligence, algorithm, or other software tool.

The growing use of artificial intelligence, algorithms, and other software tools by insurers makes it essential to ensure that these technologies do not replace a meaningful review of an individual case. It is equally important that such reviews be conducted by someone with the clinical expertise necessary to understand the treatment at issue. Therefore, MedChi requests that, consistent with the language used in Maryland’s prior authorization law, the bill be clarified to require that the licensed health care practitioner conducting the review be a physician who is board-certified or board eligible in the same specialty as the service or treatment under review and who has knowledge of the health care service or treatment through actual clinical experience.

With this amendment, MedChi urges a favorable vote.

For more information call:

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