HOUSE . . . . No. 1210

The Commonwealth of Massachusetts

PRESENTED BY:

Bradley H. Jones, Jr.

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to AI health communications and informed patient consent.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Bradley H. Jones, Jr.	20th Middlesex	1/17/2025
Kimberly N. Ferguson	1st Worcester	1/17/2025
Paul K. Frost	7th Worcester	1/31/2025
Todd M. Smola	1st Hampden	3/10/2025

HOUSE . . . . No. 1210

By Representative Jones of North Reading, a petition (accompanied by bill, House, No. 1210) of Bradley H. Jones, Jr. and others relative to artificial intelligence health communications and informed patient consent. Financial Services.

The Commonwealth of Massachusetts

_____

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

_____

An Act relative to AI health communications and informed patient consent.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1   SECTION 1. Section 70E of Chapter 111 of the General Laws, as appearing in the 2022

2   Official Edition, is hereby amended by striking out, in line 46, subsection (b), and inserting in

3   place thereof the following language;

4   (b) to confidentiality of all records and communications to the extent provided by law;

5   (b ½) to be informed, if the information they are receiving either verbally or in writing

6   has been generated by artificial intelligence, and to be provided with instructions about how to

7   contact a human healthcare provider in the event that such information was not previously

8   reviewed and approved by their provider;

9   SECTION 2. Section 6 of Chapter 176O of the General Laws, as appearing in the 2022

10   Official Edition, is hereby amended by inserting after subsection (9) the following:

11   (9 ½) a disclosure if artificial intelligence algorithms or automated decision tools are

12   being utilized or will be utilized in the claims review process, such a disclosure must include a

13   summary of what tools are being used and how they are being used throughout the claims review

14   process;

15   SECTION 3. Section 12 of Chapter 176O of the General Laws, as appearing in the 2022

16   Official Edition, is hereby amended by inserting the following subsection:

17   (g) A carrier shall submit to the division of insurance, no later than December 31 each

18   year, a form to be prescribed by the division, which shall detail the artificial intelligence

19   algorithms and data training sets that are currently being used or will be used in the utilization

20   review process by the carrier. A carrier shall also submit an attestation, in a manner and form

21   prescribed by the division, that such algorithms and training data sets have minimized the risk of

22   bias based on the covered person's race, color, religious creed, ancestry, age, sex, gender,

23   national origin, handicap or disability, and adhere to evidence-based clinical guidelines.