

2024 Regular Session

HOUSE BILL NO. 916

BY REPRESENTATIVE DICKERSON

HEALTH CARE: Establishes procedures for the use of artificial intelligence by healthcare entities

1 AN ACT

2 To enact R.S. 37:23.5, relative to use of artificial intelligence by healthcare entities and
3 professionals; to establish procedures for the use of artificial intelligence in health
4 care; to provide for definitions; to provide for the promulgation of rules; and to
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 37:23.5 is hereby enacted to read as follows:

8 §23.5. Artificial intelligence; procedures

9 A. A healthcare entity shall not make any decision regarding the care of
10 patients based solely on the results derived from the use or application of artificial
11 intelligence.

12 B. A healthcare professional shall review any healthcare decision made by
13 or with the use of artificial intelligence in accordance with procedures established
14 by the board governing his profession. The healthcare professional may override any
15 decision made by an artificial intelligence.

16 C. Any board responsible for licensing a healthcare professional in
17 accordance with this Title shall promulgate rules to establish standards necessary to
18 implement the provisions of this Section.

19 D. As used in this Section:

1 (1) "Artificial intelligence" means an artificial system developed in computer
2 software, physical hardware, or other context that solves tasks requiring human-like
3 perception, cognition, planning, learning, communication, or physical action.

4 (3) "Healthcare entity" means a hospital, a provider-sponsored organization,
5 a health maintenance organization, a health insurance plan, or any other kind of
6 health care facility, organization, or plan.

7 (2) "Healthcare professional" means any professional licensed in accordance
8 with this Title that provides healthcare services.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 916 Original

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Dickerson

Abstract: Establishes protections and guidelines for healthcare entities and healthcare professionals providing health care and utilizing artificial intelligence.

Proposed law prohibits a healthcare entity from making a healthcare decision solely on the basis of artificial intelligence.

Proposed law requires a healthcare professional to review decisions made solely by an artificial intelligence. A healthcare professional shall have the authority to override a decision made solely by an artificial intelligence.

Proposed law tasks the professional boards of healthcare professionals with promulgating rules necessary to implement the provisions of this proposed law.

Proposed law provides for definitions.

(Adds R.S. 37:23.5)