

2025 Regular Session

HOUSE BILL NO. 114

BY REPRESENTATIVE DOMANGUE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

HEALTH CARE/PROVIDERS: Provides for the use of artificial intelligence by healthcare providers

1 AN ACT

2 To enact R.S. 37:23.5, relative to the use of artificial intelligence by healthcare providers;
3 to authorize or prohibit certain uses of artificial intelligence by healthcare providers;
4 to establish penalties; to provide for the promulgation of rules; to provide for
5 definitions; and to 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; authorized uses; prohibited uses; penalties

9 A. A healthcare provider may use artificial intelligence to assist with an
10 administrative or analytical task related to providing healthcare services including
11 but not limited to any of the following:

- 12 (1) To prepare and maintain a client's records and notes.
- 13 (2) To manage appointment scheduling and reminders.
- 14 (3) To process billing or insurance claims.
- 15 (4) To analyze anonymized data to track client progress or identify trend.
- 16 (5) To identify and organize an external resource or a referral for client use.
- 17 (6) To draft a general communication related to therapy logistics that does
18 not include therapeutic advice.

19 B. A healthcare provider shall not utilize artificial intelligence to engage in
20 any of the following:

1 (1) To make a decision related to treatment and diagnosis without review and
2 approval by a licensed healthcare professional.

3 (2) To interact directly with a patient in any form of communication related
4 to treatment and diagnosis.

5 (3) To generate a therapeutic recommendation or a treatment plan without
6 review and approval by a healthcare professional.

7 C.(1) A healthcare provider found in violation of this Section shall pay a
8 civil penalty in an amount not to exceed ten thousand dollars per violation to the
9 Louisiana Department of Health.

10 (2) The Louisiana Department of Health may investigate any actual, alleged,
11 or suspected violations of this Section.

12 (3) The Louisiana Department of Health shall promulgate rules to implement
13 the provisions of this Section.

14 D. As used in this Section:

15 (1) "Artificial intelligence" means a machine-based system that can, for a
16 given set of human-defined objectives, make predictions, recommendations or
17 decisions influencing real or virtual environments. Artificial intelligence systems
18 use machine and human-based inputs to perceive real and virtual environments,
19 abstract such perceptions into models through analysis in an automated manner, and
20 use model inference to formulate options for information or action.

21 (2) "Healthcare professional" means any professional providing healthcare
22 services and treatment licensed in accordance with this Title or permitted to practice
23 in this state through an interstate compact or agreement.

24 (3) "Healthcare provider" means a person, partnership, limited liability
25 partnership, limited liability company, corporation, or facility licensed or certified
26 by this state to provide 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 114 Original

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Domangue

Abstract: Establishes authorized uses, prohibited uses, and penalties for the use of artificial intelligence by healthcare providers.

Proposed law states that a healthcare provider may use artificial intelligence to assist with an analytical or administrative task associated or related to the provision of healthcare services or treatment.

Proposed law prohibits a healthcare provider from using artificial intelligence to independently treat or diagnosis or directly communicate with an individual related to the provision of healthcare services.

Proposed law establishes a penalty of \$10,000 per violation for violating the provisions of proposed law.

Proposed law tasks the La. Dept. of Health with enforcing the penalty and promulgating rules to implement proposed law.

Proposed law defines terms.

(Adds R.S. 37:23.5)