

## HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE Rydin

1 Amend the Health and Human Services Committee Report, dated March  
2 4, 2026, strike page 1, and substitute:

3 "Amend printed bill, strike pages 4 through 9 and substitute:

4 "SECTION 2. In Colorado Revised Statutes, **add** 12-245-224.5  
5 as follows:

6 **12-245-224.5. Use of artificial intelligence systems for**  
7 **psychotherapy services - permitted use by regulated individuals -**  
8 **consent - use in educational and training settings and research -**  
9 **prohibited use - definitions.**

10 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
11 REQUIRES:

12 (a) (I) "ADMINISTRATIVE SUPPORT" MEANS TASKS THAT:

13 (A) ARE PERFORMED TO ASSIST A LICENSEE, REGISTRANT,  
14 CERTIFICATE HOLDER, OR OTHER INDIVIDUAL LAWFULLY PERMITTED TO  
15 PROVIDE PSYCHOTHERAPY SERVICES IN THE STATE IN THE DELIVERY OF  
16 PSYCHOTHERAPY SERVICES; AND

17 (B) DO NOT INVOLVE THERAPEUTIC COMMUNICATION.

18 (II) "ADMINISTRATIVE SUPPORT" INCLUDES THE FOLLOWING, AT A  
19 MINIMUM:

20 (A) MANAGING APPOINTMENT SCHEDULING AND REMINDERS;

21 (B) PROCESSING BILLING AND INSURANCE CLAIMS; AND

22 (C) DRAFTING GENERAL COMMUNICATIONS RELATED TO THERAPY  
23 LOGISTICS THAT DO NOT INCLUDE THERAPEUTIC ADVICE.

24 (b) "ARTIFICIAL INTELLIGENCE SYSTEM" MEANS ANY  
25 MACHINE-BASED SYSTEM THAT, FOR ANY EXPLICIT OR IMPLICIT OBJECTIVE,  
26 INFERS FROM THE INPUTS THE SYSTEM RECEIVES HOW TO GENERATE  
27 OUTPUTS, INCLUDING CONTENT, DECISIONS, PREDICTIONS, OR  
28 RECOMMENDATIONS, THAT CAN INFLUENCE PHYSICAL OR VIRTUAL  
29 ENVIRONMENTS.

30 (c) (I) "CONSENT" MEANS A CLEAR, EXPLICIT, AFFIRMATIVE,  
31 SPECIFIC, AND UNAMBIGUOUS WRITTEN AGREEMENT, INCLUDING A  
32 WRITTEN AGREEMENT PROVIDED BY ELECTRONIC MEANS, ENTERED INTO  
33 BY AN INDIVIDUAL THAT IS REVOCABLE BY THE INDIVIDUAL.

34 (II) "CONSENT" DOES NOT INCLUDE AN AGREEMENT THAT IS  
35 OBTAINED BY ANY OF THE FOLLOWING MEANS:

36 (A) THE ACCEPTANCE OF A GENERAL OR BROAD TERMS OF USE  
37 AGREEMENT OR A SIMILAR DOCUMENT THAT CONTAINS DESCRIPTIONS OF  
38 ARTIFICIAL INTELLIGENCE ALONG WITH OTHER UNRELATED INFORMATION;

39 (B) AN INDIVIDUAL INTERACTING WITH A GIVEN PIECE OF DIGITAL

1 CONTENT IN A MANNER THAT INVOLVES HOVERING OVER, MUTING,  
2 PAUSING, OR CLOSING THE DIGITAL CONTENT; OR  
3 (C) AN AGREEMENT OBTAINED THROUGH THE USE OF DECEPTION.  
4 (d) "SUPPLEMENTARY SUPPORT" MEANS TASKS PERFORMED TO  
5 ASSIST A LICENSEE, REGISTRANT, CERTIFICATE HOLDER, OR OTHER  
6 INDIVIDUAL LAWFULLY PERMITTED TO PROVIDE PSYCHOTHERAPY  
7 SERVICES IN THE STATE IN THE DELIVERY OF PSYCHOTHERAPY SERVICES  
8 THAT DO NOT INVOLVE THERAPEUTIC COMMUNICATION AND THAT ARE NOT  
9 ADMINISTRATIVE SUPPORT. "SUPPLEMENTARY SUPPORT" INCLUDES, AT A  
10 MINIMUM:  
11 (I) PREPARING AND MAINTAINING CLIENT RECORDS, INCLUDING  
12 THERAPY NOTES;  
13 (II) ANALYZING DATA TO TRACK CLIENT PROGRESS OR IDENTIFY  
14 TRENDS, SUBJECT TO REVIEW BY A LICENSEE, REGISTRANT, CERTIFICATE  
15 HOLDER, OR OTHER INDIVIDUAL LAWFULLY PERMITTED TO PROVIDE  
16 PSYCHOTHERAPY SERVICES IN THE STATE; AND  
17 (III) IDENTIFYING AND ORGANIZING INTERNAL AND EXTERNAL  
18 RESOURCES OR REFERRALS FOR CLIENT USE.  
19 (e) (I) "THERAPEUTIC COMMUNICATION" MEANS ANY VERBAL,  
20 NONVERBAL, OR WRITTEN INTERACTION CONDUCTED IN A CLINICAL OR  
21 PROFESSIONAL SETTING THAT MEETS THE DEFINITION OF PSYCHOTHERAPY  
22 SERVICES. "THERAPEUTIC COMMUNICATION" INCLUDES:  
23 (A) DIRECT INTERACTIONS WITH CLIENTS FOR THE PURPOSE OF  
24 UNDERSTANDING OR REFLECTING THEIR THOUGHTS, EMOTIONS, OR  
25 EXPERIENCES;  
26 (B) PROVIDING GUIDANCE, THERAPEUTIC STRATEGIES, OR  
27 INTERVENTIONS DESIGNED TO ACHIEVE MENTAL OR BEHAVIORAL HEALTH  
28 OUTCOMES;  
29 (C) OFFERING EMOTIONAL SUPPORT, REASSURANCE, OR EMPATHY  
30 IN RESPONSE TO PSYCHOLOGICAL OR EMOTIONAL DISTRESS;  
31 (D) COLLABORATING WITH CLIENTS TO DEVELOP OR MODIFY  
32 THERAPEUTIC GOALS OR TREATMENT PLANS; AND  
33 (E) OFFERING BEHAVIORAL FEEDBACK INTENDED TO PROMOTE  
34 PSYCHOLOGICAL GROWTH OR TO ADDRESS MENTAL OR BEHAVIORAL  
35 HEALTH CONDITIONS.  
36 (II) "THERAPEUTIC COMMUNICATION" DOES NOT INCLUDE  
37 GENERAL WELLNESS EDUCATION, INSTRUCTION, OR GUIDANCE THAT IS  
38 INTENDED TO PROMOTE OVERALL HEALTH AND WELL-BEING, RATHER THAN  
39 TO DIAGNOSE, TREAT, OR ADDRESS A SPECIFIC MENTAL, EMOTIONAL, OR  
40 BEHAVIORAL HEALTH CONCERN.  
41 (2) A LICENSEE, REGISTRANT, CERTIFICATE HOLDER, OR OTHER  
42 INDIVIDUAL LAWFULLY PERMITTED TO PROVIDE PSYCHOTHERAPY  
43 SERVICES IN THE STATE MAY USE AN ARTIFICIAL INTELLIGENCE SYSTEM TO  
44 ASSIST IN PROVIDING ADMINISTRATIVE SUPPORT OR SUPPLEMENTARY  
45 SUPPORT FOR PSYCHOTHERAPY SERVICES IF THE LICENSEE, REGISTRANT,

1 CERTIFICATE HOLDER, OR OTHER INDIVIDUAL LAWFULLY PERMITTED TO  
2 PROVIDE PSYCHOTHERAPY SERVICES IN THE STATE MAINTAINS  
3 RESPONSIBILITY FOR REVIEWING ANY OUTPUTS OF THE ARTIFICIAL  
4 INTELLIGENCE SYSTEM USED TO PROVIDE ADMINISTRATIVE SUPPORT OR  
5 SUPPLEMENTARY SUPPORT AND SATISFIES THE REQUIREMENTS SET FORTH  
6 IN SUBSECTION (4) OF THIS SECTION.

7 (3) THE USE OF AN ARTIFICIAL INTELLIGENCE SYSTEM IS SUBJECT  
8 TO AND MUST COMPLY WITH APPLICABLE STATE AND FEDERAL PRIVACY  
9 AND SECURITY LAWS, INCLUDING THE "HEALTH INSURANCE PORTABILITY  
10 AND ACCOUNTABILITY ACT OF 1996", PUB.L. 104-191, AND ITS  
11 IMPLEMENTING REGULATIONS.

12 (4) (a) A LICENSEE, REGISTRANT, CERTIFICATE HOLDER, OR OTHER  
13 INDIVIDUAL LAWFULLY PERMITTED TO PROVIDE PSYCHOTHERAPY  
14 SERVICES IN THE STATE SHALL NOT USE AN ARTIFICIAL INTELLIGENCE  
15 SYSTEM TO RECORD OR TRANSCRIBE A CLIENT'S THERAPEUTIC SESSION,  
16 UNLESS:

17 (I) THE CLIENT OR THE CLIENT'S LEGALLY AUTHORIZED  
18 REPRESENTATIVE IS INFORMED IN ADVANCE IN WRITING OF THE  
19 FOLLOWING:

20 (A) THAT AN ARTIFICIAL INTELLIGENCE SYSTEM WILL BE USED;  
21 AND

22 (B) THE SPECIFIC PURPOSE FOR WHICH THE ARTIFICIAL  
23 INTELLIGENCE SYSTEM WILL BE USED;

24 (II) THE CLIENT OR THE CLIENT'S LEGALLY AUTHORIZED  
25 REPRESENTATIVE CONSENTS IN WRITING TO THE USE OF THE ARTIFICIAL  
26 INTELLIGENCE SYSTEM; AND

27 (III) THE CLIENT'S REFUSAL TO PROVIDE OR LATER DECISION TO  
28 REVOKE THE CONSENT REQUIRED PURSUANT TO SUBSECTION (4)(a)(II) OF  
29 THIS SECTION SHALL NOT BE USED AS A BASIS TO DENY PSYCHOTHERAPY  
30 SERVICES.

31 (b) THE CONSENT REQUIRED PURSUANT TO SUBSECTION (4)(a)(II)  
32 OF THIS SECTION FOR THE USE OF AN ARTIFICIAL INTELLIGENCE SYSTEM TO  
33 RECORD OR TRANSCRIBE THERAPEUTIC SESSIONS IS REQUIRED ONLY FOR  
34 THE INITIAL USE OF THE ARTIFICIAL INTELLIGENCE SYSTEM OCCURRING ON  
35 OR AFTER THE EFFECTIVE DATE OF THIS SECTION AND NOT FOR EACH  
36 SUBSEQUENT THERAPEUTIC SESSION, UNLESS THE PURPOSE OR MANNER OF  
37 USE MATERIALLY CHANGES.

38 (5) A LICENSEE, REGISTRANT, CERTIFICATE HOLDER, OR OTHER  
39 INDIVIDUAL LAWFULLY PERMITTED TO PROVIDE PSYCHOTHERAPY  
40 SERVICES IN THE STATE SHALL NOT ALLOW AN ARTIFICIAL INTELLIGENCE  
41 SYSTEM TO DO ANY OF THE FOLLOWING:

42 (a) INTERACT WITH CLIENTS IN ANY FORM OF THERAPEUTIC  
43 COMMUNICATION WITHOUT SYNCHRONOUS, REAL-TIME INTERACTION  
44 BETWEEN THE LICENSEE, REGISTRANT, CERTIFICATE HOLDER, OR OTHER  
45 INDIVIDUAL LAWFULLY PERMITTED TO PROVIDE PSYCHOTHERAPY

1 SERVICES IN THE STATE, THE ARTIFICIAL INTELLIGENCE SYSTEM, AND THE  
2 CLIENT; OR

3 (b) GENERATE THERAPEUTIC RECOMMENDATIONS OR TREATMENT  
4 PLANS WITHOUT REVIEW AND APPROVAL BY THE LICENSEE, REGISTRANT,  
5 CERTIFICATE HOLDER, OR OTHER INDIVIDUAL LAWFULLY PERMITTED TO  
6 PROVIDE PSYCHOTHERAPY SERVICES IN THE STATE.

7 (6) EXCEPT AS PROVIDED IN SUBSECTIONS (7) AND (8) OF THIS  
8 SECTION, A LICENSEE, REGISTRANT, CERTIFICATE HOLDER, OR OTHER  
9 INDIVIDUAL LAWFULLY PERMITTED TO PROVIDE PSYCHOTHERAPY  
10 SERVICES IN THE STATE SHALL NOT USE AN ARTIFICIAL INTELLIGENCE  
11 SYSTEM TO PROVIDE, DIRECT, GUIDE, OR ATTEMPT TO PROVIDE, DIRECT, OR  
12 GUIDE PSYCHOTHERAPY, CLINICAL INTERVENTION, COUNSELING,  
13 DIAGNOSIS, TREATMENT PLANNING, OR ANY OTHER ACTIVITY THAT  
14 CONSTITUTES THE PRACTICE OF PSYCHOTHERAPY WITH AN INDIVIDUAL OR  
15 A GROUP UNLESS THE USE COMPLIES WITH SUBSECTION (5) OF THIS  
16 SECTION.

17 (7) NOTHING IN THIS SECTION PROHIBITS A LICENSEE, REGISTRANT,  
18 CERTIFICATE HOLDER, OR OTHER INDIVIDUAL LAWFULLY PERMITTED TO  
19 PROVIDE PSYCHOTHERAPY SERVICES IN THE STATE FROM USING AN  
20 ARTIFICIAL INTELLIGENCE SYSTEM WITHIN AN ACCREDITED OR APPROVED  
21 EDUCATIONAL, INSTRUCTIONAL, OR PROFESSIONAL TRAINING PROGRAM,  
22 SO LONG AS THE ARTIFICIAL INTELLIGENCE SYSTEM:

23 (a) IS USED SOLELY FOR EDUCATIONAL, ADMINISTRATIVE,  
24 SIMULATION, OR TRAINING PURPOSES;

25 (b) NOTWITHSTANDING SUBSECTION (5)(a) OF THIS SECTION, IS  
26 NOT DEPLOYED, MARKETED, OR REPRESENTED AS A TOOL FOR USE WITH  
27 CLIENTS, PATIENTS, OR MEMBERS OF THE PUBLIC; AND

28 (c) FOR ANY SIMULATION, TRAINING MODULE, OR EDUCATIONAL  
29 ACTIVITY THAT INCLUDES CONTENT RELATED TO CLINICAL  
30 DECISION-MAKING, IS REVIEWED OR CONTROLLED BY AN INDIVIDUAL  
31 LICENSED, CERTIFIED, REGISTERED, OR OTHERWISE LAWFULLY PERMITTED  
32 TO PROVIDE PSYCHOTHERAPY SERVICES IN THE STATE.

33 (8) NOTHING IN THIS SECTION PROHIBITS A LICENSEE, REGISTRANT,  
34 CERTIFICATE HOLDER, OR OTHER INDIVIDUAL LAWFULLY PERMITTED TO  
35 PROVIDE PSYCHOTHERAPY SERVICES IN THE STATE FROM BEING INVOLVED  
36 IN THE DEVELOPMENT, TESTING, OR EVALUATION OF AN ARTIFICIAL  
37 INTELLIGENCE SYSTEM SOLELY FOR RESEARCH PURPOSES CONDUCTED  
38 UNDER THE OVERSIGHT OF AN INSTITUTIONAL REVIEW BOARD REGISTERED  
39 WITH THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN  
40 SERVICES, SO LONG AS THE ARTIFICIAL INTELLIGENCE SYSTEM IS NOT  
41 OFFERED TO CONSUMERS OR USED TO PROVIDE PSYCHOTHERAPY SERVICES  
42 OUTSIDE OF THE RESEARCH SETTING.

43 (9) THIS SECTION DOES NOT APPLY TO A LICENSEE, REGISTRANT,  
44 CERTIFICATE HOLDER, OR OTHER INDIVIDUAL LAWFULLY PERMITTED TO  
45 PROVIDE PSYCHOTHERAPY SERVICES IN THE STATE WHO USES OR

1 RECOMMENDS THE USE OF A TECHNOLOGY OR SERVICE THAT:  
2 (a) PROVIDES SELF-HELP, THERAPEUTIC HOMEWORK, COACHING,  
3 GUIDED MEDITATION, JOURNALING, REFLECTIONS, PSYCHOEDUCATION,  
4 GOAL SETTING, PROGRESS TRACKING, THERAPEUTIC SESSION  
5 PREPARATION, THERAPEUTIC SESSION SUMMARIES, MOOD MONITORING,  
6 MINDFULNESS EXERCISES, BREATHING EXERCISES, CRISIS RESOURCE  
7 DIRECTORIES, SAFETY PLANNING, OTHER WELLNESS TOOLS, OR FEDERAL  
8 FOOD AND DRUG ADMINISTRATION-APPROVED TECHNOLOGY OR ARTIFICIAL  
9 INTELLIGENCE SYSTEMS;  
10 (b) DOES NOT DIAGNOSE OR TREAT MENTAL HEALTH DISORDERS;  
11 AND  
12 (c) CLEARLY DISCLOSES THAT THE TECHNOLOGY OR SERVICE IS  
13 NOT A SUBSTITUTE FOR CLINICAL CARE."."

14 Page 2 of the committee report, strike lines 1 through 18 and substitute:

15 "Page 10 of the bill, strike lines 1 through 4.

16 Page 10 of the bill, line 8, strike "**practices.**" and substitute "**practices -**  
17 **definitions.**".

18 Page 10 of the bill, strike line 17 and substitute "PSYCHOTHERAPY  
19 SERVICES;"

20 Page 10 of the bill, strike lines 19 and 20 and substitute "PROVIDES  
21 PSYCHOTHERAPY SERVICES; OR".

22 Page 10 of the bill, after line 22 insert:

23 "(2) A PERSON SHALL NOT PROVIDE, ADVERTISE, OR OTHERWISE  
24 OFFER PSYCHOTHERAPY SERVICES TO THE PUBLIC IN THE STATE,  
25 INCLUDING THROUGH THE USE OF AN ARTIFICIAL INTELLIGENCE SYSTEM,  
26 UNLESS THE PSYCHOTHERAPY SERVICES ARE CONDUCTED IN ACCORDANCE  
27 WITH THIS SECTION BY A LICENSEE, REGISTRANT, CERTIFICATE HOLDER, OR  
28 OTHER INDIVIDUAL LAWFULLY PERMITTED TO PROVIDE PSYCHOTHERAPY  
29 SERVICES IN THE STATE.

30 (3) EXCEPT AS PROVIDED IN SUBSECTIONS (4) AND (5) OF THIS  
31 SECTION, AN ARTIFICIAL INTELLIGENCE SYSTEM MUST NOT PROVIDE,  
32 DIRECT, GUIDE, OR ATTEMPT TO PROVIDE, DIRECT, OR GUIDE  
33 PSYCHOTHERAPY, CLINICAL INTERVENTION, COUNSELING, DIAGNOSIS,  
34 TREATMENT PLANNING, OR ANY OTHER ACTIVITY THAT CONSTITUTES THE  
35 PRACTICE OF PSYCHOTHERAPY WITH AN INDIVIDUAL OR A GROUP UNLESS  
36 THE USE COMPLIES WITH SECTION 12-245-224.5 (5)(a).

37 (4) NOTHING IN THIS SECTION PROHIBITS THE USE OF AN ARTIFICIAL  
38 INTELLIGENCE SYSTEM WITHIN AN ACCREDITED OR APPROVED

1 EDUCATIONAL, INSTRUCTIONAL, OR PROFESSIONAL TRAINING PROGRAM,  
2 SO LONG AS THE ARTIFICIAL INTELLIGENCE SYSTEM:

3 (a) IS USED SOLELY FOR EDUCATIONAL, ADMINISTRATIVE,  
4 SIMULATION, OR TRAINING PURPOSES;

5 (b) NOTWITHSTANDING SECTION 12-245-224.5 (5)(a), IS NOT  
6 DEPLOYED, MARKETED, OR REPRESENTED AS A TOOL FOR USE WITH  
7 CLIENTS, PATIENTS, OR MEMBERS OF THE PUBLIC; AND

8 (c) FOR ANY SIMULATION, TRAINING MODULE, OR EDUCATIONAL  
9 ACTIVITY THAT INCLUDES CONTENT RELATED TO CLINICAL  
10 DECISION-MAKING, IS REVIEWED OR CONTROLLED BY AN INDIVIDUAL  
11 LICENSED, CERTIFIED, REGISTERED, OR OTHERWISE LAWFULLY PERMITTED  
12 TO PROVIDE PSYCHOTHERAPY SERVICES IN THE STATE.

13 (5) NOTHING IN THIS SECTION PROHIBITS THE DEVELOPMENT,  
14 TESTING, OR EVALUATION OF AN ARTIFICIAL INTELLIGENCE SYSTEM  
15 SOLELY FOR RESEARCH PURPOSES CONDUCTED UNDER THE OVERSIGHT OF  
16 AN INSTITUTIONAL REVIEW BOARD REGISTERED WITH THE UNITED STATES  
17 DEPARTMENT OF HEALTH AND HUMAN SERVICES, SO LONG AS THE  
18 ARTIFICIAL INTELLIGENCE SYSTEM IS NOT OFFERED TO CONSUMERS OR  
19 USED TO PROVIDE PSYCHOTHERAPY SERVICES OUTSIDE OF THE RESEARCH  
20 SETTING.

21 (6) THIS SECTION DOES NOT APPLY TO THE USE OF A TECHNOLOGY  
22 OR SERVICE THAT:

23 (a) PROVIDES SELF-HELP, THERAPEUTIC HOMEWORK, COACHING,  
24 GUIDED MEDITATION, JOURNALING, REFLECTIONS, PSYCHOEDUCATION,  
25 GOAL SETTING, PROGRESS TRACKING, THERAPEUTIC SESSION  
26 PREPARATION, THERAPEUTIC SESSION SUMMARIES, MOOD MONITORING,  
27 MINDFULNESS EXERCISES, BREATHING EXERCISES, CRISIS RESOURCE  
28 DIRECTORIES, SAFETY PLANNING, OTHER WELLNESS TOOLS, OR FEDERAL  
29 FOOD AND DRUG ADMINISTRATION-APPROVED TECHNOLOGY OR ARTIFICIAL  
30 INTELLIGENCE SYSTEMS;

31 (b) DOES NOT DIAGNOSE OR TREAT MENTAL HEALTH DISORDERS;  
32 AND

33 (c) CLEARLY DISCLOSES THAT THE TECHNOLOGY OR SERVICE IS  
34 NOT A SUBSTITUTE FOR CLINICAL CARE.

35 (7) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
36 REQUIRES:

37 (a) "ARTIFICIAL INTELLIGENCE SYSTEM" HAS THE MEANING SET  
38 FORTH IN SECTION 12-245-224.5.

39 (b) "PERSON" HAS THE MEANING SET FORTH IN SECTION 2-4-401  
40 (8).

41 (c) "PSYCHOTHERAPY" OR "PSYCHOTHERAPY SERVICES" HAS THE  
42 MEANING SET FORTH IN SECTION 12-245-202."."

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