

HB1195_L.013

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Health & Human Services.

HB26-1195 be amended as follows:

1 Amend reengrossed bill, page 5, line 25, strike "AND".

2 Page 5, line 27, strike "USE." and substitute "USE; AND

3 (IV) COLLECTING MENTAL HEALTH OR WELLNESS INFORMATION,
4 INCLUDING SYMPTOM FREQUENCY TRACKING; MOOD RATING SCALES;
5 INTAKE QUESTIONNAIRES AND RESPONSES; MEDICATION ADHERENCE
6 LOGGING; SLEEP AND ACTIVITY TRACKING; AND USE OF SIMILAR,
7 STRUCTURED DATA COLLECTION TOOLS."

8 Page 11, lines 12 and 13, strike "OR INFORMATION IS CONFIDENTIAL." and
9 substitute "IS CONFIDENTIAL IN A MANNER THAT WOULD LEAD A
10 REASONABLE USER TO BELIEVE THAT THE DATA IS PROTECTED IN A
11 MANNER COMPARABLE TO PRIVACY PROTECTIONS AFFORDED BY
12 THERAPIST-CLIENT CONFIDENTIALITY IN A RELATIONSHIP BETWEEN A
13 LICENSEE, REGISTRANT, CERTIFICATE HOLDER, OR OTHER PERSON
14 LAWFULLY PERMITTED TO PROVIDE PSYCHOTHERAPY SERVICES IN THE
15 STATE AND THE CLIENT."

16 Page 11, strike lines 14 through 27 and substitute:

17 "(2) NOTHING IN THIS SECTION IMPOSES LIABILITY ON A LICENSEE,
18 REGISTRANT, CERTIFICATE HOLDER, OR OTHER INDIVIDUAL LEGALLY
19 PERMITTED TO PROVIDE PSYCHOTHERAPY SERVICES IN THE STATE FOR
20 DEFECTS IN, OR FAILURES OF, AN ARTIFICIAL INTELLIGENCE SYSTEM THAT
21 ARE ATTRIBUTABLE TO THE DEVELOPER OR DEPLOYER OF THE ARTIFICIAL
22 INTELLIGENCE SYSTEM. THE LIABILITY OF A DEVELOPER OR DEPLOYER FOR
23 SUCH DEFECTS OR FAILURES IS GOVERNED BY APPLICABLE CONSUMER
24 PROTECTION LAW."

25 Renumber succeeding subsections accordingly.

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