

HB1195_L.012

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Health & Human Services.

HB26-1195 be amended as follows:

1 Amend reengrossed bill, page 4, line 6, before "**definitions.**" insert
2 "**unfair or deceptive trade practice -**".

3 Page 8, line 25, after "(6)" insert "(a)".

4 Page 9, after line 7 insert:

5 "(b) A LICENSEE, REGISTRANT, CERTIFICATE HOLDER, OR OTHER
6 INDIVIDUAL LAWFULLY PERMITTED TO PROVIDE PSYCHOTHERAPY
7 SERVICES IN THE STATE SHALL PROVIDE TO THE CLIENT DURING THE
8 INITIAL CLIENT CONTACT WRITTEN INFORMATION CONCERNING
9 PROHIBITIONS SPECIFIED IN SUBSECTION (6)(a) OF THIS SECTION ON THE
10 USE OF ARTIFICIAL INTELLIGENCE SYSTEMS IN THE PRACTICE OF
11 PSYCHOTHERAPY."

12 Page 10, after line 23 insert:

13 "(10) A VIOLATION OF SUBSECTION (5)(a) OF THIS SECTION SHALL
14 BE DEEMED AN UNFAIR OR DECEPTIVE TRADE PRACTICE, AS PROVIDED IN
15 ARTICLE 1 OF TITLE 6."

16 Page 12, line 25, before "COACHING," insert "PATIENT NAVIGATION,".

17 Page 13, strike lines 3 through 9 and substitute "DIRECTORIES, SAFETY
18 PLANNING, OR OTHER WELLNESS TOOLS THAT:

19 (I) DO NOT DIAGNOSE OR TREAT MENTAL HEALTH DISORDERS; AND

20 (II) CLEARLY AND CONSPICUOUSLY DISCLOSE THAT THE
21 TECHNOLOGY OR SERVICE IS NOT A SUBSTITUTE FOR CLINICAL CARE; OR

22 (b) IS AUTHORIZED, APPROVED, CLEARED, OR GRANTED
23 ENFORCEMENT DISCRETION BY THE FEDERAL FOOD AND DRUG
24 ADMINISTRATION FOR AN INTENDED USE THAT INCLUDES THE DELIVERY OF
25 BEHAVIORAL HEALTH INTERVENTIONS, INCLUDING AN ARTIFICIAL
26 INTELLIGENCE SYSTEM, AND THAT:

27 (I) DOES NOT DIAGNOSE OR TREAT MENTAL HEALTH DISORDERS;
28 AND

29 (II) CLEARLY AND CONSPICUOUSLY DISCLOSES THAT THE
30 TECHNOLOGY OR SERVICE IS NOT A SUBSTITUTE FOR CLINICAL CARE."

31 Page 13, strike lines 14 and 15.

32 Reletter succeeding paragraph accordingly.

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