

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Health & Human Services.

HB26-1195 be amended as follows:

1 Amend reengrossed bill, page 4, line 6, after "**prohibited use -**" insert
2 "**liability -**".

3 Page 6, before line 1 insert:

4 "(e) (I) "SYNCHRONOUS" MEANS INTERACTIONS OCCURRING
5 SIMULTANEOUSLY IN WHICH THERE IS ACTIVE PARTICIPATION BETWEEN
6 THE CLIENT AND THE LICENSEE, REGISTRANT, CERTIFICATE HOLDER, OR
7 OTHER INDIVIDUAL LEGALLY PERMITTED TO PROVIDE PSYCHOTHERAPY
8 SERVICES IN THE STATE.

9 (II) "SYNCHRONOUS" DOES NOT MEAN A REVIEW OF AN
10 INTERACTION AFTER THE INTERACTION HAS OCCURRED."

11 Reletter succeeding paragraph accordingly.

12 Page 10, line 11, before "COACHING," insert "PATIENT NAVIGATION,".

13 Page 10, strike lines 16 through 22 and substitute "DIRECTORIES, SAFETY
14 PLANNING, OR OTHER WELLNESS TOOLS THAT:

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

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

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

23 (I) DOES NOT DIAGNOSE OR TREAT MENTAL HEALTH DISORDERS;

24 AND

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

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