

Second Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO

**REENGROSSED**

*This Version Includes All Amendments  
Adopted in the House of Introduction*

LLS NO. 26-0298.01 Brita Darling x2241

**HOUSE BILL 26-1195**

**HOUSE SPONSORSHIP**

**Rydin and Mabrey**, Bacon, Boesenecker, Bradley, Brown, Camacho, Clifford, Duran, Garcia, Jackson, Joseph, Lieder, Lindsay, Lukens, McCluskie, McCormick, Nguyen, Paschal, Sirota, Smith, Story, Titone, Zokaie

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**A BILL FOR AN ACT**

101 **CONCERNING RESTRICTIONS ON THE USE OF ARTIFICIAL INTELLIGENCE**  
102 **RELATING TO PSYCHOTHERAPY SERVICES.**

**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill prohibits licensed, certified, or registered psychologists, professional counselors, social workers, clinical social workers, marriage and family therapists, addiction counselors, or candidates for those credentials, as well as unlicensed psychotherapists and other individuals lawfully permitted to provide psychotherapy services in the state (regulated professionals), from using an artificial intelligence system to:

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters or bold & italic numbers indicate new material to be added to existing law.  
Dashes through the words or numbers indicate deletions from existing law.*

HOUSE  
3rd Reading Unamended  
April 16, 2026

HOUSE  
Amended 2nd Reading  
April 13, 2026

- Directly interact with clients in any form of therapeutic communication;
- Generate therapeutic recommendations or treatment plans without review and approval by regulated professionals; or
- Detect emotions or mental states.

Under current law, the practice of "psychotherapy" or "psychotherapy services" means, in pertinent part: Treatment, diagnosis, testing, assessment, or counseling in a professional relationship to assist individuals or groups to alleviate behavioral and mental health disorders; understand unconscious or conscious motivation; resolve emotional, relationship, or attitudinal conflicts; or modify behaviors that interfere with effective emotional, social, or intellectual functioning. Psychotherapy follows a planned procedure of intervention that takes place on a regular basis or over a period of time, or, in the cases of testing, assessment, and brief psychotherapy, psychotherapy can be a single intervention. The definition of psychotherapy in current law also states that it is the intent of the general assembly that the definition of psychotherapy be interpreted in its narrowest sense to regulate only those persons that clearly fall within the definition.

The bill allows regulated professionals to use an artificial intelligence system to assist in providing administrative support or supplementary support for psychotherapy services if the regulated professional maintains full responsibility for all interactions, outputs, and data use associated with the artificial intelligence system.

Further, if a client's therapeutic session will be recorded or transcribed through the use of an artificial intelligence system, the regulated professional must obtain written, informed consent from the client or the client's representative.

The bill does not prohibit the use of an artificial intelligence system within accredited or approved educational, instructional, or professional training programs so long as the artificial intelligence system is used solely for educational, administrative, simulation, or training purposes and is not deployed or marketed for use with clients, patients, or the public.

The bill also does not prohibit the development or testing of an artificial intelligence system solely for research purposes under the oversight of a federally registered institutional review board, so long as the artificial intelligence system is not offered to consumers or used to provide psychotherapy services outside of the research setting.

Further, the bill also does not prohibit the use of a technology or service that provides self-help, coaching, guided meditation, or wellness tools and that does not diagnose or treat mental health disorders and clearly discloses that the technology or service is not a substitute for clinical care.

The applicable board that regulates a regulated professional may

take disciplinary action against a regulated professional that violates prohibitions in the bill concerning the use of artificial intelligence systems relating to psychotherapy services.

The bill also makes it unlawful for an individual, corporation, or entity (person) to provide, advertise, or otherwise offer psychotherapy services to the public in the state unless the services are provided by a regulated professional.

It is an unfair trade practice under the "Colorado Consumer Protection Act" for a person to use a term, letter, or phrase in the advertising, interface, or outputs of an artificial intelligence system that indicates or implies that the artificial intelligence system's output data is endorsed by or equivalent to psychotherapy services provided by regulated professionals or represent that the artificial intelligence system provides psychotherapy services or that users' data or information is confidential.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2           **SECTION 1.** In Colorado Revised Statutes, 12-245-224, **amend**  
3 (1)(w) and (1)(x); and **add** (1)(y) as follows:

4           **12-245-224. Prohibited activities - related provisions -**  
5 **definition.**

6           (1) A person licensed, registered, or certified under this article 245  
7 violates this article 245 if the person:

8           (w) Has sold or fraudulently obtained or furnished a license,  
9 registration, or certification to practice as a psychologist, social worker,  
10 marriage and family therapist, licensed professional counselor,  
11 psychotherapist, or addiction counselor or has aided or abetted in those  
12 activities; ~~or~~

13           (x) Has failed to respond, in the manner required by the board, to  
14 a complaint filed with or by the board against the licensee, registrant, or  
15 certificate holder; OR

16           (y) FAILS TO COMPLY WITH SECTION 12-245-224.5 CONCERNING  
17 THE USE OF ARTIFICIAL INTELLIGENCE SYSTEMS.

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

3           **12-245-224.5. Use of artificial intelligence systems for**  
4 **psychotherapy services - permitted use by regulated individuals -**  
5 **consent - use in educational and training settings and research -**  
6 **prohibited use - definitions.**

7           (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
8 REQUIRES:

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

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

14           (B) DO NOT INVOLVE THERAPEUTIC COMMUNICATION.

15           (II) "ADMINISTRATIVE SUPPORT" INCLUDES THE FOLLOWING, AT A  
16 MINIMUM:

17           (A) MANAGING APPOINTMENT SCHEDULING AND REMINDERS;

18           (B) PROCESSING BILLING AND INSURANCE CLAIMS; AND

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

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

27           (c) (I) "CONSENT" MEANS A CLEAR, EXPLICIT, AFFIRMATIVE,

1 SPECIFIC, AND UNAMBIGUOUS WRITTEN AGREEMENT, INCLUDING A  
2 WRITTEN AGREEMENT PROVIDED BY ELECTRONIC MEANS, ENTERED INTO  
3 BY AN INDIVIDUAL THAT IS REVOCABLE BY THE INDIVIDUAL.

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

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

9 (B) AN INDIVIDUAL INTERACTING WITH A GIVEN PIECE OF DIGITAL  
10 CONTENT IN A MANNER THAT INVOLVES HOVERING OVER, MUTING,  
11 PAUSING, OR CLOSING THE DIGITAL CONTENT; OR

12 (C) AN AGREEMENT OBTAINED THROUGH THE USE OF DECEPTION.

13 (d) "SUPPLEMENTARY SUPPORT" MEANS TASKS PERFORMED TO  
14 ASSIST A LICENSEE, REGISTRANT, CERTIFICATE HOLDER, OR OTHER  
15 INDIVIDUAL LAWFULLY PERMITTED TO PROVIDE PSYCHOTHERAPY  
16 SERVICES IN THE STATE IN THE DELIVERY OF PSYCHOTHERAPY SERVICES  
17 THAT DO NOT INVOLVE THERAPEUTIC COMMUNICATION AND THAT ARE NOT  
18 ADMINISTRATIVE SUPPORT. "SUPPLEMENTARY SUPPORT" INCLUDES, AT A  
19 MINIMUM:

20 (I) PREPARING AND MAINTAINING CLIENT RECORDS, INCLUDING  
21 THERAPY NOTES;

22 (II) ANALYZING DATA TO TRACK CLIENT PROGRESS OR IDENTIFY  
23 TRENDS, SUBJECT TO REVIEW BY A LICENSEE, REGISTRANT, CERTIFICATE  
24 HOLDER, OR OTHER INDIVIDUAL LAWFULLY PERMITTED TO PROVIDE  
25 PSYCHOTHERAPY SERVICES IN THE STATE; AND

26 (III) IDENTIFYING AND ORGANIZING INTERNAL AND EXTERNAL  
27 RESOURCES OR REFERRALS FOR CLIENT USE.

1 (e) (I) "THERAPEUTIC COMMUNICATION" MEANS ANY VERBAL,  
2 NONVERBAL, OR WRITTEN INTERACTION CONDUCTED IN A CLINICAL OR  
3 PROFESSIONAL SETTING THAT MEETS THE DEFINITION OF PSYCHOTHERAPY  
4 SERVICES. "THERAPEUTIC COMMUNICATION" INCLUDES:

5 (A) DIRECT INTERACTIONS WITH CLIENTS FOR THE PURPOSE OF  
6 UNDERSTANDING OR REFLECTING THEIR THOUGHTS, EMOTIONS, OR  
7 EXPERIENCES;

8 (B) PROVIDING GUIDANCE, THERAPEUTIC STRATEGIES, OR  
9 INTERVENTIONS DESIGNED TO ACHIEVE MENTAL OR BEHAVIORAL HEALTH  
10 OUTCOMES;

11 (C) OFFERING EMOTIONAL SUPPORT, REASSURANCE, OR EMPATHY  
12 IN RESPONSE TO PSYCHOLOGICAL OR EMOTIONAL DISTRESS;

13 (D) COLLABORATING WITH CLIENTS TO DEVELOP OR MODIFY  
14 THERAPEUTIC GOALS OR TREATMENT PLANS; AND

15 (E) OFFERING BEHAVIORAL FEEDBACK INTENDED TO PROMOTE  
16 PSYCHOLOGICAL GROWTH OR TO ADDRESS MENTAL OR BEHAVIORAL  
17 HEALTH CONDITIONS.

18 (II) "THERAPEUTIC COMMUNICATION" DOES NOT INCLUDE  
19 GENERAL WELLNESS EDUCATION, INSTRUCTION, OR GUIDANCE THAT IS  
20 INTENDED TO PROMOTE OVERALL HEALTH AND WELL-BEING, RATHER THAN  
21 TO DIAGNOSE, TREAT, OR ADDRESS A SPECIFIC MENTAL, EMOTIONAL, OR  
22 BEHAVIORAL HEALTH CONCERN.

23 (2) A LICENSEE, REGISTRANT, CERTIFICATE HOLDER, OR OTHER  
24 INDIVIDUAL LAWFULLY PERMITTED TO PROVIDE PSYCHOTHERAPY  
25 SERVICES IN THE STATE MAY USE AN ARTIFICIAL INTELLIGENCE SYSTEM TO  
26 ASSIST IN PROVIDING ADMINISTRATIVE SUPPORT OR SUPPLEMENTARY  
27 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

1 REVOKE THE CONSENT REQUIRED PURSUANT TO SUBSECTION (4)(a)(II) OF  
2 THIS SECTION SHALL NOT BE USED AS A BASIS TO DENY PSYCHOTHERAPY  
3 SERVICES.

4 (b) THE CONSENT REQUIRED PURSUANT TO SUBSECTION (4)(a)(II)  
5 OF THIS SECTION FOR THE USE OF AN ARTIFICIAL INTELLIGENCE SYSTEM TO  
6 RECORD OR TRANSCRIBE THERAPEUTIC SESSIONS IS REQUIRED ONLY FOR  
7 THE INITIAL USE OF THE ARTIFICIAL INTELLIGENCE SYSTEM OCCURRING ON  
8 OR AFTER THE EFFECTIVE DATE OF THIS SECTION AND NOT FOR EACH  
9 SUBSEQUENT THERAPEUTIC SESSION, UNLESS THE PURPOSE OR MANNER OF  
10 USE MATERIALLY CHANGES.

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

15 (a) INTERACT WITH CLIENTS IN ANY FORM OF THERAPEUTIC  
16 COMMUNICATION WITHOUT SYNCHRONOUS, REAL-TIME INTERACTION  
17 BETWEEN THE LICENSEE, REGISTRANT, CERTIFICATE HOLDER, OR OTHER  
18 INDIVIDUAL LAWFULLY PERMITTED TO PROVIDE PSYCHOTHERAPY  
19 SERVICES IN THE STATE, THE ARTIFICIAL INTELLIGENCE SYSTEM, AND THE  
20 CLIENT; OR

21 (b) GENERATE THERAPEUTIC RECOMMENDATIONS OR TREATMENT  
22 PLANS WITHOUT REVIEW AND APPROVAL BY THE LICENSEE, REGISTRANT,  
23 CERTIFICATE HOLDER, OR OTHER INDIVIDUAL LAWFULLY PERMITTED TO  
24 PROVIDE PSYCHOTHERAPY SERVICES IN THE STATE.

25 (6) EXCEPT AS PROVIDED IN SUBSECTIONS (7) AND (8) OF THIS  
26 SECTION, A LICENSEE, REGISTRANT, CERTIFICATE HOLDER, OR OTHER  
27 INDIVIDUAL LAWFULLY PERMITTED TO PROVIDE PSYCHOTHERAPY

1 SERVICES IN THE STATE SHALL NOT USE AN ARTIFICIAL INTELLIGENCE  
2 SYSTEM TO PROVIDE, DIRECT, GUIDE, OR ATTEMPT TO PROVIDE, DIRECT, OR  
3 GUIDE PSYCHOTHERAPY, CLINICAL INTERVENTION, COUNSELING,  
4 DIAGNOSIS, TREATMENT PLANNING, OR ANY OTHER ACTIVITY THAT  
5 CONSTITUTES THE PRACTICE OF PSYCHOTHERAPY WITH AN INDIVIDUAL OR  
6 A GROUP UNLESS THE USE COMPLIES WITH SUBSECTION (5) OF THIS  
7 SECTION.

8 (7) NOTHING IN THIS SECTION PROHIBITS A LICENSEE, REGISTRANT,  
9 CERTIFICATE HOLDER, OR OTHER INDIVIDUAL LAWFULLY PERMITTED TO  
10 PROVIDE PSYCHOTHERAPY SERVICES IN THE STATE FROM USING AN  
11 ARTIFICIAL INTELLIGENCE SYSTEM WITHIN AN ACCREDITED OR APPROVED  
12 EDUCATIONAL, INSTRUCTIONAL, OR PROFESSIONAL TRAINING PROGRAM,  
13 SO LONG AS THE ARTIFICIAL INTELLIGENCE SYSTEM:

14 (a) IS USED SOLELY FOR EDUCATIONAL, ADMINISTRATIVE,  
15 SIMULATION, OR TRAINING PURPOSES;

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

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

24 (8) NOTHING IN THIS SECTION PROHIBITS A LICENSEE, REGISTRANT,  
25 CERTIFICATE HOLDER, OR OTHER INDIVIDUAL LAWFULLY PERMITTED TO  
26 PROVIDE PSYCHOTHERAPY SERVICES IN THE STATE FROM BEING INVOLVED  
27 IN THE DEVELOPMENT, TESTING, OR EVALUATION OF AN ARTIFICIAL

1 INTELLIGENCE SYSTEM SOLELY FOR RESEARCH PURPOSES CONDUCTED  
2 UNDER THE OVERSIGHT OF AN INSTITUTIONAL REVIEW BOARD REGISTERED  
3 WITH THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN  
4 SERVICES, SO LONG AS THE ARTIFICIAL INTELLIGENCE SYSTEM IS NOT  
5 OFFERED TO CONSUMERS OR USED TO PROVIDE PSYCHOTHERAPY SERVICES  
6 OUTSIDE OF THE RESEARCH SETTING.

7 (9) THIS SECTION DOES NOT APPLY TO A LICENSEE, REGISTRANT,  
8 CERTIFICATE HOLDER, OR OTHER INDIVIDUAL LAWFULLY PERMITTED TO  
9 PROVIDE PSYCHOTHERAPY SERVICES IN THE STATE WHO USES OR  
10 RECOMMENDS THE USE OF A TECHNOLOGY OR SERVICE THAT:

11 (a) PROVIDES SELF-HELP, THERAPEUTIC HOMEWORK, COACHING,  
12 GUIDED MEDITATION, JOURNALING, REFLECTIONS, PSYCHOEDUCATION,  
13 GOAL SETTING, PROGRESS TRACKING, THERAPEUTIC SESSION  
14 PREPARATION, THERAPEUTIC SESSION SUMMARIES, MOOD MONITORING,  
15 MINDFULNESS EXERCISES, BREATHING EXERCISES, CRISIS RESOURCE  
16 DIRECTORIES, SAFETY PLANNING, OTHER WELLNESS TOOLS, OR FEDERAL  
17 FOOD AND DRUG ADMINISTRATION-APPROVED TECHNOLOGY OR ARTIFICIAL  
18 INTELLIGENCE SYSTEMS;

19 (b) DOES NOT DIAGNOSE OR TREAT MENTAL HEALTH DISORDERS;  
20 AND

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

23

24 **SECTION 3.** In Colorado Revised Statutes, **add** 6-1-1705.2 as  
25 follows:

26 **6-1-1705.2. Use of artificial intelligence systems -**  
27 **psychotherapy services - prohibited practices - definitions.**

1 (1) A PERSON SHALL NOT USE ANY TERM, LETTER, OR PHRASE IN  
2 THE ADVERTISING, INTERFACE, OR OUTPUTS OF AN ARTIFICIAL  
3 INTELLIGENCE SYSTEM IN A MANNER THAT:

4 (a) INDICATES OR IMPLIES THAT THE ARTIFICIAL INTELLIGENCE  
5 SYSTEM'S OUTPUT DATA IS BEING PROVIDED BY, IS ENDORSED BY, OR IS  
6 EQUIVALENT TO SERVICES PROVIDED BY AN INDIVIDUAL LICENSED,  
7 REGISTERED, OR CERTIFIED IN THE STATE PURSUANT TO ARTICLE 245 OF  
8 TITLE 12 TO ENGAGE IN THE PRACTICE OF PSYCHOTHERAPY OR TO PROVIDE  
9 PSYCHOTHERAPY SERVICES;

10 (b) REPRESENTS THAT THE ARTIFICIAL INTELLIGENCE SYSTEM  
11 PROVIDES PSYCHOTHERAPY SERVICES; OR

12 (c) REPRESENTS THAT A USER'S DATA OR INFORMATION IS  
13 CONFIDENTIAL.

14 (2) A PERSON SHALL NOT PROVIDE, ADVERTISE, OR OTHERWISE  
15 OFFER PSYCHOTHERAPY SERVICES TO THE PUBLIC IN THE STATE,  
16 INCLUDING THROUGH THE USE OF AN ARTIFICIAL INTELLIGENCE SYSTEM,  
17 UNLESS THE PSYCHOTHERAPY SERVICES ARE CONDUCTED IN ACCORDANCE  
18 WITH THIS SECTION BY A LICENSEE, REGISTRANT, CERTIFICATE HOLDER, OR  
19 OTHER INDIVIDUAL LAWFULLY PERMITTED TO PROVIDE PSYCHOTHERAPY  
20 SERVICES IN THE STATE.

21 (3) EXCEPT AS PROVIDED IN SUBSECTIONS (4) AND (5) OF THIS  
22 SECTION, AN ARTIFICIAL INTELLIGENCE SYSTEM MUST NOT PROVIDE,  
23 DIRECT, GUIDE, OR ATTEMPT TO PROVIDE, DIRECT, OR GUIDE  
24 PSYCHOTHERAPY, CLINICAL INTERVENTION, COUNSELING, DIAGNOSIS,  
25 TREATMENT PLANNING, OR ANY OTHER ACTIVITY THAT CONSTITUTES THE  
26 PRACTICE OF PSYCHOTHERAPY WITH AN INDIVIDUAL OR A GROUP UNLESS  
27 THE USE COMPLIES WITH SECTION 12-245-224.5 (5)(a).

1 (4) NOTHING IN THIS SECTION PROHIBITS THE USE OF AN ARTIFICIAL  
2 INTELLIGENCE SYSTEM WITHIN AN ACCREDITED OR APPROVED  
3 EDUCATIONAL, INSTRUCTIONAL, OR PROFESSIONAL TRAINING PROGRAM,  
4 SO LONG AS THE ARTIFICIAL INTELLIGENCE SYSTEM:

5 (a) IS USED SOLELY FOR EDUCATIONAL, ADMINISTRATIVE,  
6 SIMULATION, OR TRAINING PURPOSES;

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

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

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

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

25 (a) PROVIDES SELF-HELP, THERAPEUTIC HOMEWORK, COACHING,  
26 GUIDED MEDITATION, JOURNALING, REFLECTIONS, PSYCHOEDUCATION,  
27 GOAL SETTING, PROGRESS TRACKING, THERAPEUTIC SESSION

1 PREPARATION, THERAPEUTIC SESSION SUMMARIES, MOOD MONITORING,  
2 MINDFULNESS EXERCISES, BREATHING EXERCISES, CRISIS RESOURCE  
3 DIRECTORIES, SAFETY PLANNING, OTHER WELLNESS TOOLS, OR FEDERAL  
4 FOOD AND DRUG ADMINISTRATION-APPROVED TECHNOLOGY OR ARTIFICIAL  
5 INTELLIGENCE SYSTEMS;

6 (b) DOES NOT DIAGNOSE OR TREAT MENTAL HEALTH DISORDERS;  
7 AND

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

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

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

14 (b) "PERSON" HAS THE MEANING SET FORTH IN SECTION 2-4-401  
15 (8).

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

18 **SECTION 4. Act subject to petition - effective date -**  
19 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
20 the expiration of the ninety-day period after final adjournment of the  
21 general assembly (August 12, 2026, if adjournment sine die is on May 13,  
22 2026); except that, if a referendum petition is filed pursuant to section 1  
23 (3) of article V of the state constitution against this act or an item, section,  
24 or part of this act within such period, then the act, item, section, or part  
25 will not take effect unless approved by the people at the general election

1 to be held in November 2026 and, in such case, will take effect on the  
2 date of the official declaration of the vote thereon by the governor.

3 (2) This act applies to actions taken on or after the applicable  
4 effective date of this act. ■