

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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