

# HOUSE BILL 995

J2, S1

6lr2308

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By: **Delegates Woods, Ivey, Kaufman, Pasteur, Patterson, Roberts, and Simmons**  
Introduced and read first time: February 6, 2026  
Assigned to: Health

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## A BILL ENTITLED

1 AN ACT concerning

2 **Health Occupations – Behavioral Health Care Providers – Use of Artificial**  
3 **Intelligence**

4 FOR the purpose of prohibiting behavioral health care providers from using artificial  
5 intelligence to provide behavioral health care to a patient; authorizing a behavioral  
6 health care provider to use a system that employs artificial intelligence in  
7 performing administrative support tasks under certain circumstances; requiring a  
8 behavioral health care provider to obtain certain informed consent from patients if  
9 the provider uses a certain system that employs artificial intelligence under certain  
10 circumstances; and generally relating to the use of artificial intelligence by  
11 behavioral health care providers.

12 BY adding to  
13 Article – Health Occupations  
14 Section 1–231  
15 Annotated Code of Maryland  
16 (2021 Replacement Volume and 2025 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
18 That the Laws of Maryland read as follows:

19 **Article – Health Occupations**

20 **1–231.**

21 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**  
22 **INDICATED.**

23 **(2) “ADMINISTRATIVE SUPPORT TASKS” INCLUDES:**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (I) SCHEDULING APPOINTMENTS;
- 2 (II) MANAGING PATIENT RECORDS AND BILLING RECORDS;
- 3 (III) BILLING PATIENTS OR INSURERS;
- 4 (IV) ANALYZING DATA FOR OPERATIONAL PURPOSES; AND
- 5 (V) ORGANIZING, TRACKING, AND MANAGING FILES OR NOTES  
6 THAT RELATE TO A PATIENT'S SESSION.

7 (3) "ARTIFICIAL INTELLIGENCE" HAS THE MEANING STATED IN §  
8 3.5-801 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

9 (4) "BEHAVIORAL HEALTH CARE" HAS THE MEANING STATED IN §  
10 7.5-101 OF THE HEALTH - GENERAL ARTICLE.

11 (5) "BEHAVIORAL HEALTH CARE PROVIDER" MEANS AN INDIVIDUAL  
12 WHO IS LICENSED, REGISTERED, OR CERTIFIED UNDER THIS ARTICLE AND WHOSE  
13 SCOPE OF PRACTICE INCLUDES THE PROVISION OF BEHAVIORAL HEALTH CARE  
14 SERVICES.

15 (6) (I) "THERAPEUTIC COMMUNICATION" MEANS ANY VERBAL OR  
16 WRITTEN INTERACTION BETWEEN A BEHAVIORAL HEALTH CARE PROVIDER AND A  
17 PATIENT THAT IS INTENDED TO DIAGNOSE, TREAT, OR ADDRESS A PATIENT'S  
18 EMOTIONAL OR BEHAVIORAL HEALTH.

19 (II) "THERAPEUTIC COMMUNICATION" INCLUDES:

20 1. DIRECT INTERACTIONS WITH CLIENTS FOR THE  
21 PURPOSE OF UNDERSTANDING OR REFLECTING THEIR THOUGHTS, EMOTIONS, OR  
22 EXPERIENCES;

23 2. THE PROVISION OF GUIDANCE, THERAPEUTIC  
24 STRATEGIES, OR INTERVENTIONS DESIGNED TO ACHIEVE MENTAL HEALTH  
25 OUTCOMES;

26 3. THE OFFERING OF EMOTIONAL SUPPORT,  
27 REASSURANCE, OR EMPATHY IN RESPONSE TO PSYCHOLOGICAL OR EMOTIONAL  
28 DISTRESS;

29 4. COLLABORATION WITH CLIENTS TO DEVELOP OR  
30 MODIFY THERAPEUTIC GOALS OR TREATMENT PLANS; AND

1                   **5. THE OFFERING OF BEHAVIORAL FEEDBACK**  
2 **INTENDED TO PROMOTE PSYCHOLOGICAL GROWTH OR ADDRESS MENTAL HEALTH**  
3 **CONDITIONS.**

4           **(B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A**  
5 **BEHAVIORAL HEALTH CARE PROVIDER MAY NOT USE ARTIFICIAL INTELLIGENCE TO**  
6 **PROVIDE BEHAVIORAL HEALTH CARE TO A PATIENT, INCLUDING FOR:**

7                   **(1) ASSESSMENT, DIAGNOSIS, TREATMENT, OR COUNSELING;**

8                   **(2) DEVELOPMENT OF A TREATMENT PLAN;**

9                   **(3) CASE MANAGEMENT; OR**

10                   **(4) THERAPEUTIC COMMUNICATIONS.**

11           **(C) (1) A BEHAVIORAL HEALTH CARE PROVIDER MAY USE A SYSTEM THAT**  
12 **EMPLOYS ARTIFICIAL INTELLIGENCE TO ASSIST THE BEHAVIORAL HEALTH CARE**  
13 **PROVIDER IN PERFORMING ADMINISTRATIVE SUPPORT TASKS IF THE BEHAVIORAL**  
14 **HEALTH CARE PROVIDER:**

15                   **(I) ENSURES COMPLIANCE WITH ALL APPLICABLE FEDERAL**  
16 **AND STATE LAWS AND REGULATIONS GOVERNING PATIENT CONFIDENTIALITY AND**  
17 **THE SECURITY OF HEALTH RECORDS, HEALTH-RELATED INFORMATION, AND OTHER**  
18 **RELATED DATA;**

19                   **(II) SIGNS AN AGREEMENT WITH THE PERSON THAT OWNS THE**  
20 **SYSTEM THAT EMPLOYS ARTIFICIAL INTELLIGENCE TO ENSURE THAT:**

21                           **1. PROTECTED HEALTH INFORMATION WILL BE KEPT**  
22 **CONFIDENTIAL; AND**

23                           **2. INFORMATION ACCESSED THROUGH THE USE OF THE**  
24 **ARTIFICIAL INTELLIGENCE MAY NOT BE USED TO TRAIN THE ARTIFICIAL**  
25 **INTELLIGENCE OR ANY OTHER ARTIFICIAL INTELLIGENCE; AND**

26                   **(III) PROVIDES WRITTEN AND VERBAL NOTICE TO EACH**  
27 **PATIENT:**

28                           **1. THAT THE BEHAVIORAL HEALTH CARE PROVIDER**  
29 **MAY USE A SYSTEM THAT EMPLOYS ARTIFICIAL INTELLIGENCE TO PERFORM**  
30 **ADMINISTRATIVE SUPPORT TASKS; AND**

1                   **2. OF THE POTENTIAL RISKS ASSOCIATED WITH THE USE**  
2 **OF ARTIFICIAL INTELLIGENCE, INCLUDING THE POTENTIAL FOR A BREACH OF**  
3 **CONFIDENTIALITY.**

4                   **(2) A BEHAVIORAL HEALTH CARE PROVIDER THAT USES A SYSTEM**  
5 **THAT EMPLOYS ARTIFICIAL INTELLIGENCE FOR ADMINISTRATIVE SUPPORT TASKS**  
6 **SHALL INDEPENDENTLY REVIEW THE ACCURACY OF ANY REPORT, DATA, OR ANY**  
7 **OTHER INFORMATION THE ARTIFICIAL INTELLIGENCE COMPILES, SUMMARIZES,**  
8 **ANALYZES, OR GENERATES.**

9                   **(D) A BEHAVIORAL HEALTH CARE PROVIDER SHALL OBTAIN WRITTEN**  
10 **INFORMED CONSENT FROM EACH PATIENT IF THE BEHAVIORAL HEALTH CARE**  
11 **PROVIDER USES A SYSTEM THAT EMPLOYS ARTIFICIAL INTELLIGENCE THAT COULD**  
12 **MATERIALLY AFFECT CLINICAL DECISION-MAKING SERVICES OR PATIENT-FACING**  
13 **SERVICES.**

14                   **(E) A PERSON WHO VIOLATES THIS SECTION IS SUBJECT TO DISCIPLINARY**  
15 **ACTION BY THE APPROPRIATE HEALTH OCCUPATION BOARD.**

16                   **(F) THIS SECTION DOES NOT PROHIBIT A BEHAVIORAL HEALTH CARE**  
17 **PROVIDER FROM DISSEMINATING SELF-HELP MATERIALS OR EDUCATIONAL**  
18 **MATERIALS THAT DO NOT CLAIM TO PROVIDE BEHAVIORAL HEALTH CARE.**

19                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
20 October 1, 2026.