



House Economic Matters Committee

House Health Committee

March 3, 2026

House Bill 883 – *Consumer Protection – Artificial Intelligence – Behavioral Health Care Prohibitions*

LETTER OF INFORMATION

The Maryland Tech Council (MTC), with over 800 members, is the State’s largest association of technology companies. Our vision is to propel Maryland to be the country’s number one innovation economy for life sciences and technology. MTC brings the State’s life sciences and technology communities into a single, united organization that empowers members to achieve their goals through advocacy, networking, and education. On behalf of MTC, we submit this **letter of information** on House Bill 883.

The MTC supports the intent of this bill, which is to ensure that individuals seeking behavioral or mental health care are protected from potential harm that could result from the use of certain artificial intelligence (AI) systems. The MTC fully agrees with the bill’s provisions that seek to prevent AI systems from providing services that should be provided by human behavioral health care providers.

Over the last several years, dozens of bills have been introduced addressing specific use cases for AI technology. The number of new policy proposals in this emerging, constantly evolving area led the MTC to draft an “Artificial Intelligence Policy Statement” in 2024. We have attached that policy to today’s testimony. We would like to draw attention to one item from our policy platform, which is that “Any new requirements must be clear and specific. Overly broad requirements make it difficult for the industry to evaluate the impact and comply with.”

We would note that this bill, which is intended to protect individuals using AI tools in the behavioral and mental health context, appears drafted to be broadly applied to all AI systems and tools, including required disclosures and mandatory screening and referral protocols, whether or not the AI tool being used is specific to behavioral health. Another component of our policy platform is that “Consideration should always be given to smaller and medium-sized local businesses when AI laws or regulations are being adopted.” Building in broadly applicable, specific protocols to be followed across all AI tools, even if outside the intended scope of the bill, may be particularly onerous for smaller, locally based AI firms to comply with.

Consistent with the MTC’s policy statement, we encourage the sponsor and committee to consider an approach that applies more narrowly to the harm the legislation seeks to prevent.

For more information call:

Andrew G. Vetter

J. Steven Wise

Danna L. Kauffman

Christine K. Krone

410-244-7000



Maryland Tech Council

Artificial Intelligence Policy Statement

The continued development and adoption of artificial intelligence (AI) has the potential to transform many aspects of society and our daily lives, from how we interact online to education, e-commerce, healthcare delivery, finance, and many other applications. The Maryland Tech Council (MTC) is optimistic about the promise of AI to be a force of good and positive societal change. However, MTC is clear that adoption of AI carries risks that must be considered by innovators and policymakers. Elected leaders, regulators, and the private sector must work together to ensure that the use of AI is safe, ethical, responsible, and trustworthy. We must protect against unintended harms such as bias and disproportionate impact on marginalized communities.

The promise and risks inherent in the adoption of AI has policymakers at the federal, state, and local levels of government considering laws, regulations, and other measures to examine the complex issues presented above. As such, the MTC has developed a set of factors to be considered by policymakers and regulators when considering new efforts to govern the use and adoption of AI.

- Ensure broad representation of industry sectors on new commissions and boards. There are different use cases and impacts depending on sector, be it healthcare, finance, education, etc. To the extent these impacts are being regulated, policymakers should bring subject matter experts and stakeholders into the discussion.
- Policymakers are considering various new assessments or certifications of AI tools. Any new requirements must be clear and specific. Overly broad requirements make it difficult for industry to evaluate impact and comply with. Consider using risk assessment standards and practices that already exist, such as the NIST AI Risk Management Framework.
- Be mindful in defining new terms, ensuring that there are not multiple definitions of the same or similar terms and that there is not conflict with Federal definitions. Strive for consistency with other states so as not to have a patchwork of laws from state to state. Avoid creating overly broad discretion of terms that subject companies to liability such as the definition of a harmful or high-risk action or impact.
- Special deliberation should occur around the challenges and opportunities presented by Open Source AI. Open Source AI is critical to the democratization of AI technologies beyond a few massive technology providers. Yet, Open Source AI systems must be rigorously reviewed and assessed from a security perspective. Policy leaders should consult with the private sectors to ensure an understanding of the benefits of Open Source AI while providing reasonable expectations to securing these platforms.

- The implications on the workforce must be incorporated into AI policy discussions. A majority of companies lack enough skilled employees for future growth. AI developers, learning institutions, training programs, and prospective workers must coordinate to ensure we have an AI-ready workforce.
- Consideration should always be given to smaller and medium sized local businesses when new AI laws or regulations are being adopted. Far too often, these laws are considered with only the largest technology companies in mind, when smaller and locally based businesses are impacted just the same. Often, these smaller companies lack the resources to quickly adapt and comply with complex new laws.
- Enforcement mechanisms must be calibrated to be consistent with the level of risk that AI solutions present, especially in cases where there is a new risk created by AI that is not already addressed. Liability and enforcement standards should be thoughtful and proportionate, with an emphasis on compliance over being punitive. Distinctions between 3rd party services, technology providers, and end-users should be accounted for, as well as recognition of good faith efforts to develop technology that evolves and improves over time.