



**House Economic Matters Committee**

**March 3, 2026**

**HB 883 - Consumer Protection - Artificial Intelligence - Behavioral Health Care Prohibitions**

**Position: SUPPORT**

Dear Chair and Members of the Committee:

On behalf of the Maryland Chapter of the National Association of Social Workers (NASW-MD) Chapter, I respectfully submit this testimony in strong support of HB 883 – Consumer Protection: Artificial Intelligence – Behavioral Health Care Prohibitions.

NASW-MD represents thousands of licensed social workers across Maryland who practice in schools, hospitals, community behavioral health agencies, private practice, government, and nonprofit settings. Our members serve children, families, older adults, veterans, and individuals experiencing mental health and substance use challenges. We are committed to ensuring that Marylanders receive safe, ethical, and high-quality behavioral health services.

HB 883 is a necessary and timely response to the rapid growth of artificial intelligence technologies being marketed in behavioral health contexts. While innovation can improve access and efficiency, it must not outpace consumer protections. This bill appropriately establishes guardrails to ensure that AI systems are not misrepresented as behavioral health providers and do not function in ways that mislead or endanger Maryland residents.

Licensed behavioral health professionals, including social workers, complete years of education, supervised training, examination, and ongoing continuing education. They are bound by professional licensing laws and the NASW Code of Ethics, which requires practitioners to protect client well-being, obtain informed consent, maintain confidentiality, and practice within their scope of competence. AI systems, regardless of sophistication, are not licensed professionals. They are not accountable to a licensing board, do not carry malpractice insurance, and cannot exercise professional judgment rooted in lived human experience, relational context, or ethical reasoning.

HB 883 protects consumers by prohibiting developers from representing AI systems as capable of providing behavioral health care. This distinction is critical. Marylanders seeking help for

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depression, trauma, anxiety, or suicidal thoughts may be particularly vulnerable to misleading claims. Clear statutory language preventing AI from being marketed or functioning as a substitute for professional care ensures that individuals are not diverted away from appropriate treatment.

Additionally, the bill's requirement that AI systems interacting with users in behavioral health contexts provide clear notice that the user is engaging with AI promotes transparency and informed decision-making. Individuals deserve to know whether they are communicating with a licensed human provider or a machine. Transparency is foundational to ethical practice and consumer protection.

NASW-MD also supports provisions requiring AI tools to implement protocols to identify and respond appropriately to expressions of suicidal ideation or self-harm. Social workers are trained to assess risk, intervene in crises, and connect individuals to emergency and ongoing supports. If AI tools are permitted in behavioral health-adjacent spaces, they must at minimum contain safeguards that direct individuals to crisis resources such as 988 and other appropriate services. Failure to include such measures could result in serious harm.

Importantly, HB 883 does not prohibit innovation. Rather, it establishes reasonable boundaries to ensure that technological advancement does not come at the expense of safety, ethical standards, or consumer trust. Maryland has long been a leader in behavioral health reform and consumer protection. This bill continues that leadership by proactively addressing the intersection of artificial intelligence and mental health care.

For these reasons, NASW-MD respectfully urges a Favorable Report on HB 883. We appreciate the Committee's attention to safeguarding Marylanders while allowing responsible innovation to move forward.

Thank you for your time and consideration. Please do not hesitate to contact us if we can provide additional information or technical assistance.

Sincerely,

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National Association of Social Workers