



## HB883 Consumer Protection – Artificial Intelligence – Behavioral Health Care Prohibitions

Position: FAV

March 3, 2026

The Honorable Kris Valderrama, Chair  
Economic Matters Committee  
Room 230, House Office Building  
Annapolis, Maryland 21401  
cc: Members, House Economic Matters

Chair Valderrama and Members of the Committee:

Economic Action Maryland Fund submits this letter in support of HB995. HB995 prohibits behavioral health care providers from using AI to provide an assessment, diagnosis, treatment plan, counseling, or therapeutic communications.

As AI becomes increasingly popular in a wide-range of professional settings, it is critical that care is taken to ensure that it is used judiciously, particularly when dealing with sensitive information and in particular settings.

When using AI in any healthcare setting, but particularly when providing sensitive treatment for behavioral health, caution is called for. However, the need for a cautious approach is bolstered by recent research. In an October 2025 [study](#) at Brown University, chatbots systematically violate ethical standards by *inappropriately navigating crisis situations, providing misleading responses that reinforce users' negative beliefs about themselves and others, and creating a false sense of empathy*. The study also found that AI exhibited discrimination, failed to contextualize situations based on lived experience, and responded indifferently to crisis situations like suicidal ideation.

A [Stanford University study](#) drew similar conclusions while also finding that AI exhibited greater stigma towards those with alcohol dependence or schizophrenia compared to individuals with depression which may reinforce negative self-images among those seeking support.

While therapists may also exhibit concerning behavior, unlike AI, therapists are held accountable by their governing boards, are required to be mandatory reporters, and do not hallucinate as AI has been known to do.

Although patients may be aware that chatbots are not real therapists, individuals may still develop a dependence on them and an emotional attachment.

*Economic Action (formerly the Maryland Consumer Rights Coalition) champions economic rights and housing justice through advocacy, research, consumer education, and direct service. Our 12,500 supporters include consumer advocates, practitioners, and low-income and working families throughout Maryland.*

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HB883 addresses these concerns by prohibiting a developer’s AI from making any claims that it can provide behavioral health. The bill also provides clear and conspicuous notice to patients that they are not communicating with a human. It also requires the develop to establish protocols should an individual exhibit signs of suicidal ideation and sets out penalties for violations.

HB883 is needed to address this critical health issue, protect Marylanders, and establish appropriate guardrails around the use of AI in behavioral health.

For all these reasons, we support HB883 and urge a favorable report.

Best,

Marceline White  
Executive Director

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