

HB 883 – Consumer Protection – Artificial Intelligence – Behavioral Health Care Prohibitions

Senate Finance Committee

April 1, 2026

Position: FAVORABLE

Mental Health Association of Maryland (MHAMD) is a nonprofit education and advocacy organization that brings together consumers, families, clinicians, advocates and concerned citizens for unified action in all aspects of mental health and substance use disorders (collectively referred to as behavioral health). We appreciate the opportunity to provide this testimony in support of HB 883.

While Artificial Intelligence (AI) holds the promise of being able to assist behavioral health providers with certain tasks, provide some basic support to consumers, and ease the behavioral health workforce crisis, protections for consumers must be put into place. HB 883 would establish critical safeguards.

Any consumer using an AI behavioral health platform must be provided with loud and clear information that they are not interacting with a human. Users must be regularly informed that the responses they are receiving are not human responses. This is especially important since AI chatbot companies have been making efforts to deliberately mislead consumers into thinking that they are interacting with a human mental health provider.¹

AI chatbot companies must also be required to ensure that their chatbots detect when a consumer expresses any sign of suicidal ideation or self-harm and responds appropriately by referring the user to crisis response and behavioral health services. There are dangers associated with AI therapy. AI chatbots can overly-empathize with a user and endorse actions that should not be endorsed, such as the desire to do self-harm. AI companies must prevent this from ever happening again and guarantee that consumers will instead receive correct advice.²

AI, while a promising tool for behavioral health, also still holds some risks. HB 833 would protect consumers from unscrupulous AI companies and put key protections into place. Therefore we urge a favorable report.

¹ Susan Trachman. The Hidden Dangers of AI-Driven Mental Health Care. Psychology Today (2026).
<https://www.psychologytoday.com/us/blog/its-not-just-in-your-head/202601/the-hidden-dangers-of-ai-driven-mental-health-care>

² Sherri Gardner. Experts Caution Against Using AI Chatbots for Emotional Support. Columbia University (2025).
<https://www.tc.columbia.edu/articles/2025/december/experts-caution-against-using-ai-chatbots-for-emotional-support/>