



## House Bill 883

**Position: Unfavorable**

Committee: Finance

Date: April 1, 2026

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Founded in 1968, the Maryland Chamber of Commerce (the Chamber) is the leading voice for business in Maryland. We are a statewide coalition of more than 7,000 members and federated partners, and we work to develop and promote strong public policy that ensures sustained economic growth for Maryland businesses, employees, and families.

House Bill 883 (HB 883) prohibits artificial intelligence developers from representing that an AI system is a behavioral health care provider or capable of providing behavioral health care, prohibits offering AI programmed to provide services that would constitute the practice of behavioral health care if delivered by a licensed provider, requires consumer-facing AI systems to disclose at the beginning of each use that a user is not communicating with a human, mandates suicide ideation detection and referral protocols, and authorizes significant penalties for violations, including enforcement under the Maryland Consumer Protection Act.

We appreciate the sponsor's goal of protecting vulnerable Marylanders seeking behavioral health support. However, HB 883 takes an overly broad approach that extends far beyond AI systems designed or marketed to provide behavioral health services and instead captures a wide range of general-purpose AI tools used every day by families and businesses. While stakeholders raised concerns and suggested narrowing the bill to better align with approaches taken in other states, the version passed by the House retains expansive definitions while adding additional enforcement mechanisms that increase business risk and liability.

First, HB 883 extends well beyond AI systems designed, marketed, or intended to provide behavioral health services. As written, the bill applies sweeping disclosure and suicide detection requirements to any consumer-facing AI system that may encounter behavioral health-related content in conversation. This would effectively encompass general-purpose AI assistants, productivity tools, customer service chatbots, and voice-enabled platforms that are not designed to provide clinical care and do not hold themselves out as licensed behavioral health providers. Requiring every such system to provide disclosures "at the beginning of each use," regardless of context, transforms a targeted consumer protection concept into a blanket mandate affecting virtually all AI-enabled products used by Maryland residents and businesses.

Second, the "beginning of each use" disclosure requirement would significantly disrupt product functionality and user experience, particularly for voice-first and ambient computing

technologies. For tools designed to provide seamless, hands-free interactions, such as checking the weather, setting reminders, or retrieving general information, mandatory repeated disclosures unrelated to the user's request would degrade usability without providing meaningful consumer benefit. Maryland families and businesses rely on these tools daily for efficiency and productivity. Imposing repetitive warnings in non-clinical contexts does not enhance safety and instead risks making common technologies less practical or even unusable within the state.

Third, HB 883 imposes clinical-style obligations on products that are not health care services. The bill requires AI systems to implement protocols to detect suicidal ideation and refer users to behavioral health services or the Maryland Behavioral Health Crisis Response System. While well intentioned, applying such requirements to general-purpose AI platforms creates substantial technical, operational, and liability challenges. Developers of non-clinical tools would be forced to implement and maintain clinical-grade screening mechanisms across all interactions, subject to significant penalties, which will likely deter innovation or limit product availability in Maryland.

Finally, the addition of enforcement under the Maryland Consumer Protection Act, including a private right of action, raises serious concerns for the business community. Allowing private lawsuits for alleged violations, particularly in the context of broadly defined and highly technical requirements, creates significant litigation risk and uncertainty. Private rights of action are often accompanied by an increase in opportunistic or frivolous lawsuits, diverting resources away from innovation and compliance and toward legal defense. This is especially concerning where the underlying obligations are not clearly tailored to the actual risk posed by the technology. Expanding liability in this way, without first narrowing the scope of the bill, compounds the negative impact on businesses and could discourage companies from offering AI-enabled products in Maryland.

More balanced approaches are available. Other jurisdictions have focused regulation specifically on AI systems designed or marketed to provide behavioral health services, while exempting general-purpose tools. A narrower framework would better align regulatory obligations with actual risk while still protecting individuals seeking behavioral health care.

For these reasons, the Maryland Chamber of Commerce respectfully requests an **unfavorable report on HB 883**.