

February 23, 2026

The Honorable Heather Bagnall  
Chair  
House Health Committee  
Maryland House of Delegates  
241 Taylor House Office Building  
6 Bladen Street  
Annapolis, MD 21401

*RE: HB 995 (Woods) - Health Occupations - Behavioral Health Care Providers - Use of Artificial Intelligence*

Dear Chair Bagnell and Members of the Committee,

On behalf of TechNet, I'm writing to share comments on HB 995.

TechNet is the national, bipartisan network of technology CEOs and senior executives that promotes the growth of the innovation economy by advocating a targeted policy agenda at the federal and 50-state level. TechNet's diverse membership includes 103 dynamic American businesses ranging from startups to the most iconic companies on the planet and represents five million employees and countless customers in the fields of information technology, artificial intelligence, e-commerce, the sharing and gig economies, advanced energy, transportation, cybersecurity, venture capital, and finance.

While TechNet appreciates the intent of this bill, we believe the legislation could be improved with targeted amendments. Limiting a behavioral health provider's ability to use AI could lead to reduced access to care at a time when many individuals, especially in rural areas, lack access to mental health services.

A concern with the language is that the definition of "Therapeutic Communication" is incredibly broad, and we would like to see an exception for generally accepted health principles. Essentially, if an AI system is providing an output no better than what can be found in a simple internet search, it should not be considered therapeutic communication. As such, we propose the following language:

- "Therapeutic communication" does not include general wellness education, instruction, or guidance that is intended to promote overall health and well-being rather than to diagnose, treat, or address a specific mental, emotional, or behavioral health concern".

Additionally, the bill allows behavioral health providers to utilize AI for administrative support but also prohibits AI use for "development of a treatment plan" and "case management". These provisions seem to contradict each other. We suggest adding the following language after "development of a treatment plan" and "case management":

- "...without the review and approval of the behavioral healthcare provider".

Along similar lines, even when a behavioral health provider uses an AI system for administrative support, the provider is required to "independently review" the accuracy of all information the AI system produces. The definition of "Administrative Support" includes scheduling appointments and organizing, tracking, and managing files or notes. This seems to impose an overly prescriptive burden on behavioral health providers, potentially taking away time that could be better used for actual patient care. These administrative use provisions also require complex contractual agreements and dual notice requirements that may discourage adoption even for low-risk applications.

The bill also prohibits the use of administrative support data to train AI systems, which could prevent quality improvement and model refinement. HB 995 would place significant restrictions on a behavioral health provider's ability to utilize AI even for administrative tasks designed to streamline their work and provide greater access to their services.

Thank you for your consideration of our suggested amendments and please don't hesitate to reach out with any questions.

Sincerely,



Margaret Durkin  
TechNet Executive Director, Pennsylvania & the Mid-Atlantic