



**The Maryland State Dental Association (MSDA) and the Maryland Society of Oral & Maxillofacial Surgeons (MSOMS) support with Amendment HB 1385 – Health Insurance – Use of Artificial Intelligence – Human Evaluation**  
*Respectfully Requested by Daniel T. Doherty, Jr.*

HB 1385 amends the current provision in §15-10B-05.1 of the Insurance Article which addresses and regulates the use of Artificial Intelligence by a carrier for the purpose of utilization review. It includes the use of AI both by the carrier and by the carrier contracting with or through an entity that uses AI for utilization review. Currently the statute provides that the use of AI, algorithm or other software tools is subject to inspection for audit or compliance reviews by the Maryland Insurance Administration (MIA). HB 1385 adds to this audit or review provision that it shall include the human evaluation of a patient’s medical records *by a licensed health care professional*. The MSDA and the MSOMS request that this italicized language be amended as follows:

**AMENDMENT:** On page 3 in line 33 after “**PROFESSIONAL**” insert “**QUALIFIED AND KNOWLEDGEABLE ABOUT THE HEALTH CARE SERVICE OR TREATMENT THROUGH ACTUAL CLINICAL EXPERIENCE**”. This amendment will assure the qualifications of the health care provider who performs the human evaluation is qualified to perform the review by licensure and knowledgeable through clinical experience. Clearly, a licensed audiologist, nurse practitioner or even a physician should not be performing these evaluations of the utilization review by AI for a dental patient.

**The MSDA and the MSOMS respectfully request that HB 1385 receive a favorable report with this amendment.**

Submitted by:  
Daniel T. Doherty, Jr.  
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