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Representative Susan R. Donovan, Chair
House Committee on Health and Human Services
Rhode Island House of Representatives
82 Smith Street
Providence, RI 02903

Re: H7349, Oversight of Artificial Intelligence Technology in Mental Health Care Act

Dear Representative Donovan and Members of the House Committee on Health and Human Services:

Thank you for the opportunity to testify regarding H7349. I am a psychologist in private practice in North Kingstown. I am concerned regarding H7349, Oversight of Artificial Intelligence Technology in Mental Health Care Act and urge you to oppose this bill. This bill regulates licensed mental health and substance use professionals rather than the technology companies that create the products that we all use. We do not have access to proprietary information or algorithms yet that is what this bill is placing in our responsibility. Section 40.1-5.5-2 (2) Definition of Artificial Intelligence is so broad that it covers much of modern technology that is used today. Section 40.1-5.5-2 (3) Consent makes it impossible for my practice to create a consent that would be understandable for my patients. Any of us can attest to user agreements that are connected to much of technology today and understand how this would be of little value to patients and public safety.

As this bill is written, it is unclear whether I am responsible for technology that my patients are using outside of therapy but discuss with me in therapy, such as mood tracking apps, weight loss apps, digital therapeutics provided by another professional, ChatGPT. If this bill is an attempt at reducing harm to the public caused by AI, then the documented cases of harm are from consumers' direct use of large language models that have resulted in suicides, psychosis, and delusions. I have not seen any documented evidence of licensed professionals using AI inappropriately that has resulted in harm to the patient.

Physicians (including psychiatrists) are excluded, and other healthcare professionals such as nurse practitioners, physical therapists, occupational therapists, applied behavior analysts are not mentioned. Mental health and substance use professionals working in schools are also not mentioned. Without documented evidence specific to licensed mental health and substance use professionals, I do not understand the need

for this professional disparity. As we move toward the future of FDA approved digital therapeutics, this disparity will hurt my practice. It is also confusing to the public that a patient would go to a physician and discuss mental health concerns and not have the same responsibility and informed consent around the use of digital mental health tools.

Thank you again for the opportunity to provide testimony and for your service to Rhode Island residents. I request that concerns around parity, responsibility placed only on licensed mental health and substance use professionals rather than technology companies, and definitions used in this bill be revisited. I urge you to oppose H7349.

Sincerely,

Julie B. Wolter, Psy.D.

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