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March 22, 2026

Senator Victoria Gu, Chair  
Senate Committee on Artificial Intelligence and Emerging Technologies  
Rhode Island State House  
82 Smith Street, Room 318  
Providence, RI 02903

Re: S2197, Oversight of Artificial Intelligence Technology in Mental Health Care Act

Dear Senator Gu and Members of the Senate Committee on Artificial Intelligence and Emerging Technologies:

Thank you for the opportunity to testify regarding S2197. I am a psychologist in private practice in North Kingstown and a constituent of Senator Gu's district. I am concerned regarding S2197, Oversight of Artificial Intelligence Technology in Mental Health Care Act and urge you to oppose this bill. I appreciate efforts to safeguard the public, particularly in light of numerous tragedies that have occurred after consumers have used LLMs. This bill, however, places restrictions and responsibilities on licensed mental health and substance use professionals that will impede access to care. It also unintentionally results in professional disparities by only focusing on certain licensed and credentialed mental health and substance use professionals rather than all areas of healthcare that provide mental health related services such as physicians, nursing, and other professions that can bill mental health related CPT codes.

**AI Definition Too Broad**

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 most of my patients would understand and find valuable. Any of us can attest to user agreements that are connected to much of technology today and understand how a consent form that describes this broad definition of artificial intelligence would be of little value to patients and public safety.

**Removes Ability to Use Digital Therapeutics**

Digital therapeutics such as Rejoyn, Mamalift, and Sleepio are FDA approved, reimbursable tools that are used by physicians and qualified licensed healthcare professionals, including licensed mental health professionals, to help with mental health. These tools do what is defined on page 4 lines 25-28, yet on page 4 lines 23-24 the licensed professionals included in this bill cannot use these. Digital therapeutics are

part of the innovative approaches to care that CMS is promoting, as they continue to expand coding to reflect these tools. We cannot have Rhode Island holding back innovative approaches to care that will only continue to expand. It is also not clear from this legislation whether research in the area of technology and behavioral health will be hindered by this legislation.

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, or any LLMs. 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.

### **Parity Issues**

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.

### **Exempting Technology's Responsibility**

While this bill may have impact on companies that are misrepresenting chatbots as therapists, the exemption on Page 5 lines 7-8 regarding self help materials are concerning. While I defer to an attorney regarding this language, as a licensed psychologist this language of exempting self-help materials gives me pause. Couldn't LLMs consider themselves self help? Legal documents of LLMs indicate they are not therapists.

Thank you again for the opportunity to provide testimony and for your service to Rhode Island residents. I also appreciate the positive intention of this bill to protect the public and licensed mental health and substance use professionals. However, please oppose S2197 and request a more comprehensive bill regarding AI in all of healthcare be created that addresses the responsibility of the technology companies in this space.

Sincerely,

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