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AMERICAN PHYSICIANS

AI Updates for 2025

Embracing AI's Benefits and Challenges

Bryan Dildy, Esq., MPA, CPPS, CPHRM

Senior Risk Manager & Patient Safety Specialist

Bradford S. Dunkin, MHA

Assistant Vice President, Risk Management & Patient Safety



Disclosure to Learners

No planner, reviewer, faculty, or staff for this activity has any relevant financial relationships with ineligible companies.



Objectives

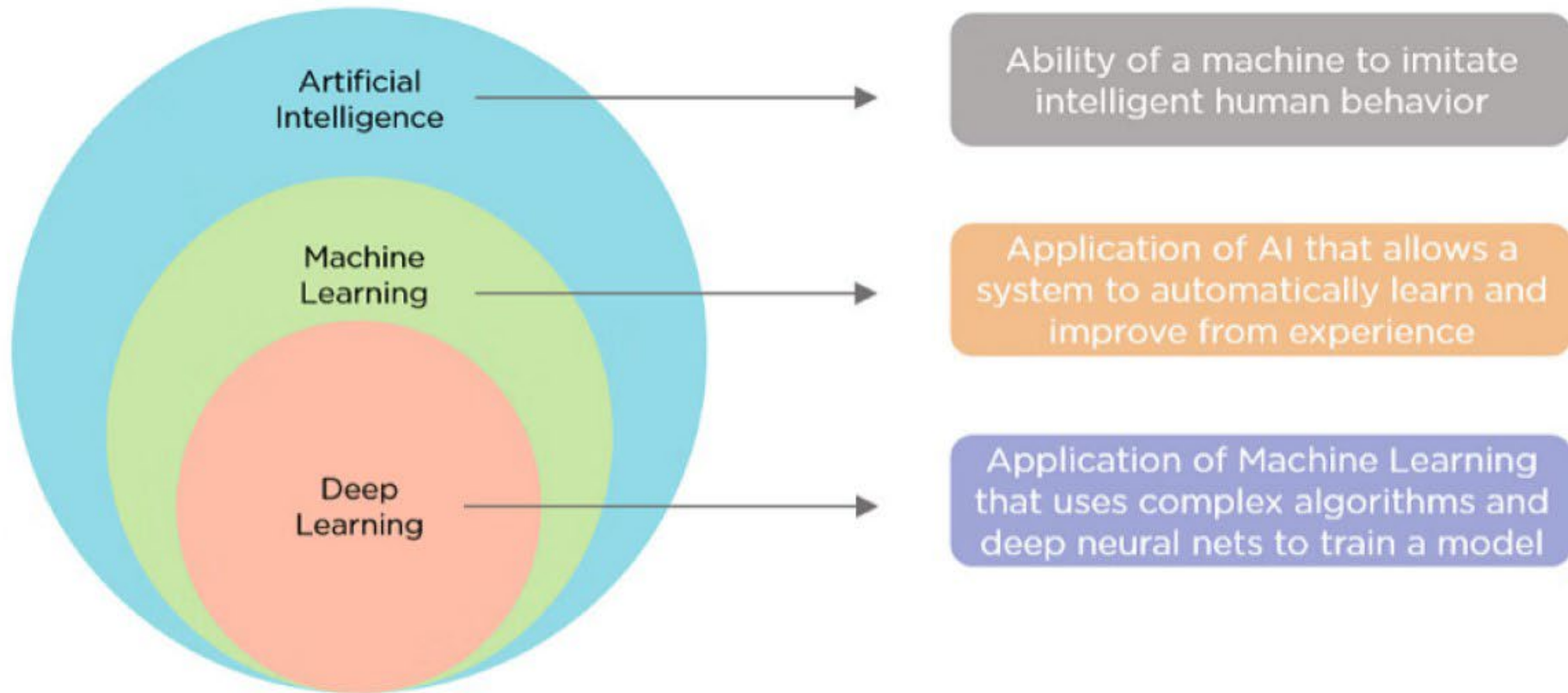
- Examine the potential risks and liabilities associated with AI implementation in healthcare.
- Apply the legal and regulatory frameworks governing the use of AI in healthcare.
- Evaluate the ethical considerations and challenges arising from AI utilization in patient care.
- Manage strategies to mitigate risks and liabilities related to AI in healthcare.
- Create protocols and policies to ensure the responsible and ethical use of AI technologies.
- Utilize training from professional agencies to understand how the AI tools work, how they should be used, and not used, and their limitations to minimize the impacts of AI bias.





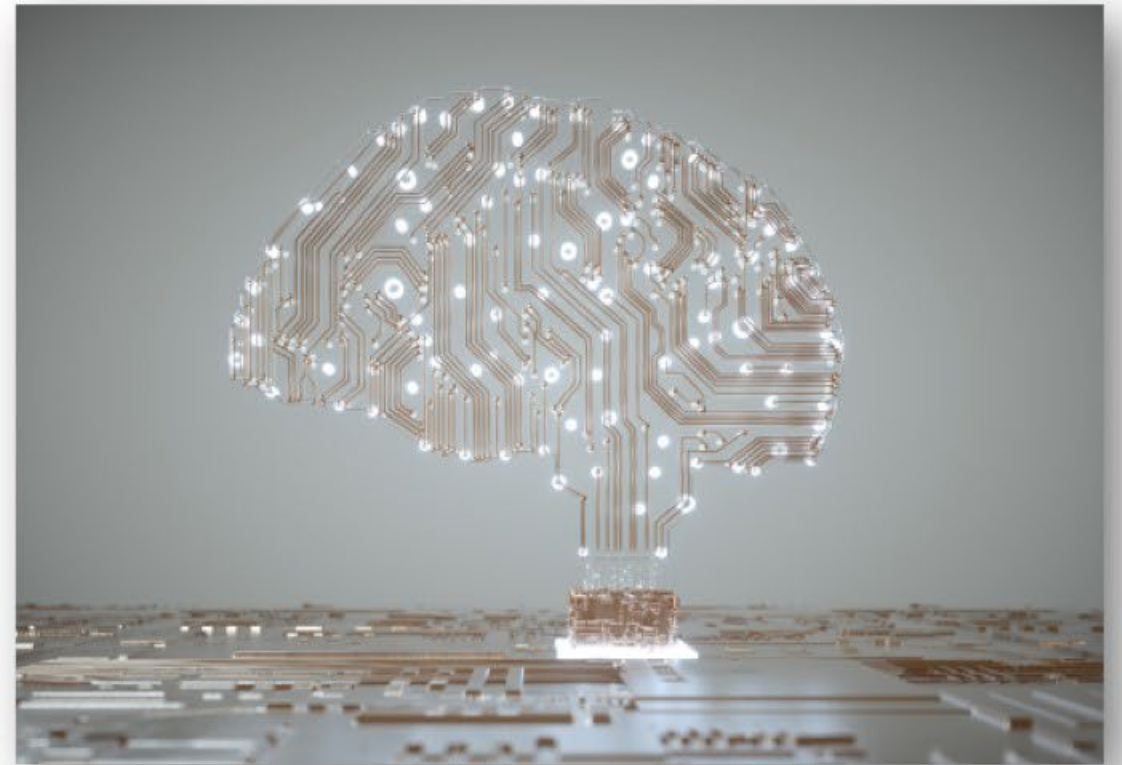
What is Artificial intelligence (AI)?

AI & AI Subsets

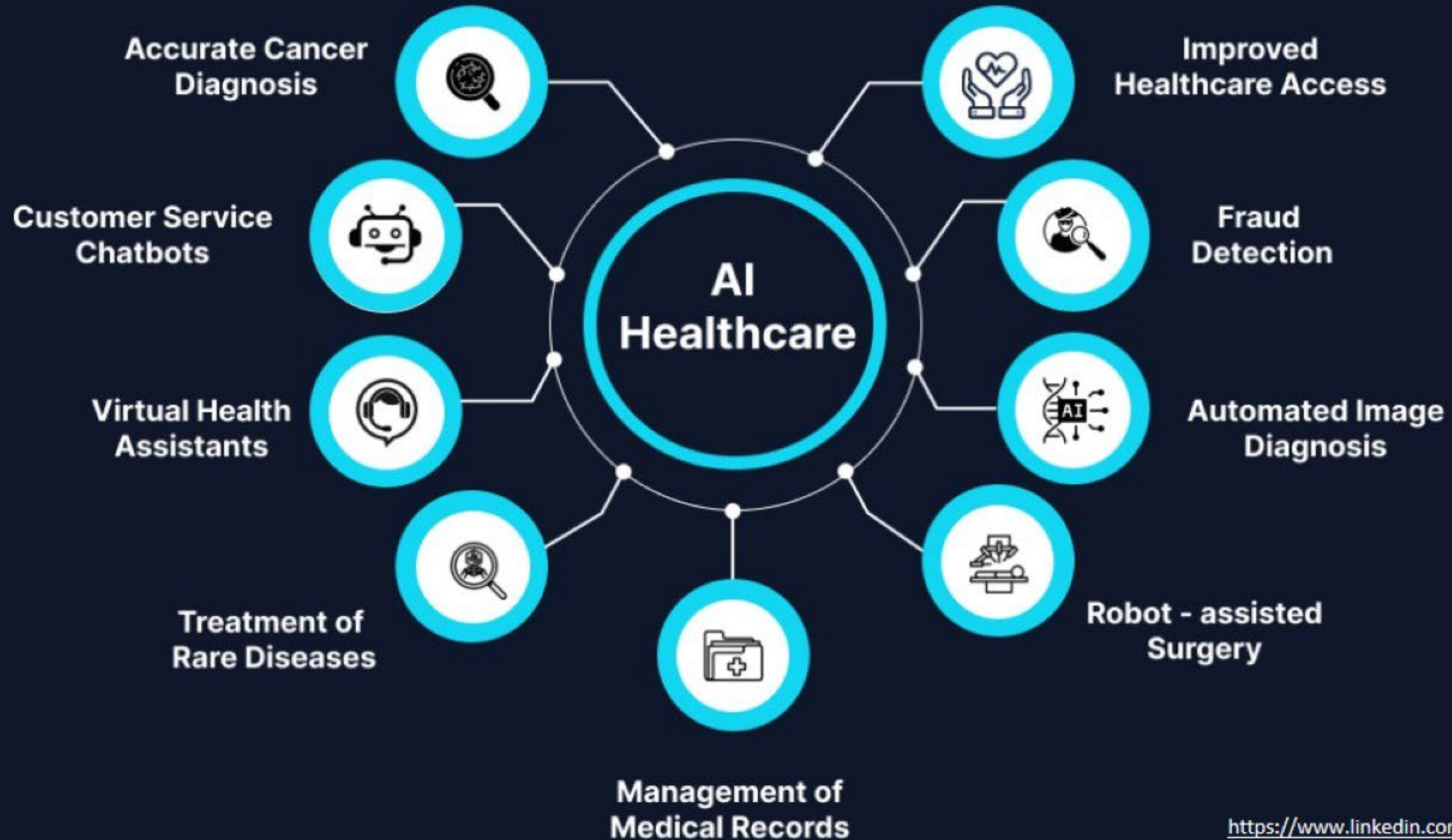


AI Learning Examples

- AI Machine Learning
 - Product Recommendations
 - Stock Price Predictions
- AI Deep Learning
 - Image recognition
 - Self driving vehicles



Role of AI in Healthcare



Impact of AI in Healthcare (Pros)

Improved
Diagnosis

Precision
Medicine

Enhanced
Patient Care

Efficient
Healthcare
Operations

Early Disease
Detection

Medical Image
Analysis

Drug
Discovery and
Development

Address
Physician
Fatigue

Impact of AI in Healthcare: Examples

FDA has authorized artificial intelligence/machine learning devices

- 76% (n = 777/1,016) radiology related
- Diagnosis
- Image identification

University of Rochester Medical Center – Butterfly IQ probe

- FDA approved AI probes
- Improve speed and diagnosis accuracy

Atrium Health - Dax Copilot

- Piloted program
- Summarizes patient-provider conversations
- Physicians saved 30 to 40 minutes per day
- Reported improved documentation experience



FDA, *Artificial Intelligence and Machine Learning-Enabled Medical Devices*, (May 7, 2025) <https://www.fda.gov/medical-devices/software-medical-device-samd/artificial-intelligence-and-machine-learning-aiml-enabled-medical-devices>

Neil Savage, *10 Top AI Health Care Products*, (May 7, 2025) <https://www.vktr.com/ai-platforms/10-top-ai-health-care-products/>

Ron Southwick, *Atrium Health Sees Early Success With Nuance DAX Copilot*, (May 7, 2025) <https://www.chiefhealthcareexecutive.com/view/atrium-health-sees-early-success-with-nuance-dax-copilot>

Potential Downsides Use of AI in Healthcare



DATA QUALITY AND
PRIVACY



ALGORITHM BIAS
AND
TRANSPARENCY



INTEGRATION WITH
EXISTING SYSTEMS



ETHICAL
CONSIDERATIONS



REGULATORY AND
LEGAL CHALLENGES

Impact of AI in Healthcare (Cons): Hallucinations

- AI hallucinations occurs where an AI model fabricates information that has no factual standing
 - Avianca Airlines
 - CNET identified falsities in AI generated stories
 - AI provide fabricated citations and PubMed IDs information on osteoporosis
- In 2023 Google CEO Sundar Pichai stated, “no one in the field has yet solved the hallucination problems.”



Artificial hallucinations in ChatGPT: implications in scientific writing. Alkaissi H, McFarlane SI. *Cureus*. 2023;15:0.

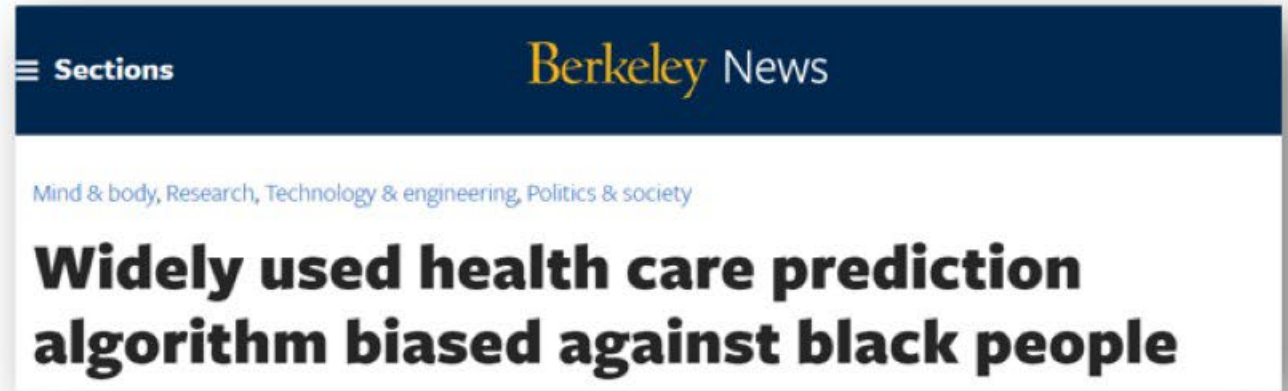
Catherine Thorbecke, *Plagued with Errors: A News Outlet's Decision to Write Stories with AI Backfires*, CNN (Jan. 11, 2024), <https://www.cnn.com/2023/01/25/tech/cnet-ai-tool-news-stories/index.html>

Ramishah Maruf, *Lawyer Apologizes for Fake Court Citations from ChatGPT*, CNN (Jan. 11, 2024), <https://www.cnn.com/2023/05/27/business/chat-gpt-avianca-mata-lawyers/index.html>

Scott Pelley, *Is Artificial Intelligence Advancing too Quickly? What AI Leaders at Google Say*, CBS News (Jan. 11, 2024), <https://www.cbsnews.com/news/google-artificial-intelligence-future-60-minutes-transcript-2023-04-16/>

Impact of AI in Healthcare (Cons): Bias

- Racial bias identified care management AI software
- AI allowed healthier whites into care management program ahead of less healthy blacks
- Algorithm component focused on health care costs
- Uncovering algorithmic bias can be difficult



Impact of AI in Healthcare (Cons): Security

- AI generative attacks
 - Human-like text
 - Deep fakes
- 2023 Microsoft Data Breach
 - Affected 1.2 million patients
 - Affected 13 healthcare facilities
 - Radiology documentation compromised
- 2021 Colonial Pipeline
 - Traditional hacking and AI
 - Significant fuel supply disruption



Insurica, *Cyber Case Study: Colonial Pipeline Ransomware Attack*, (May 7, 2025) <https://insurica.com/blog/colonial-pipeline-ransomware-attack/>

Steve Alder, *Nuance Communications: 13 Healthcare Clients In North Carolina Affected by MOVEit Hack*, The HIPAA Journal (May 7, 2025) <https://www.hipaajournal.com/nuance-communications-13-healthcare-clients-in-north-carolina-affected-by-moveit-hack/>

Impact of AI in Healthcare (Cons): Privacy

- 2016 Google's DeepMind program partnered with Royal Free Hospital
- Developed AI model to assist in automatic detection of possible acute kidney injury
- 1.6 millions records shared without consent
 - Argued direct care v. pilot testing

Google DeepMind 1.6m patient record deal 'inappropriate'

National data guardian says patient data transfer from Royal Free to Google subsidiary has 'inappropriate legal basis' as information not used for direct care



Alex Hern, *Google DeepMind 1.6m Patient Record Deal Inappropriate*, The Guardian (Jan. 11, 2024)
<https://www.theguardian.com/technology/2017/may/16/google-deepmind-16m-patient-record-deal-inappropriate-data-guardian-royal-free>

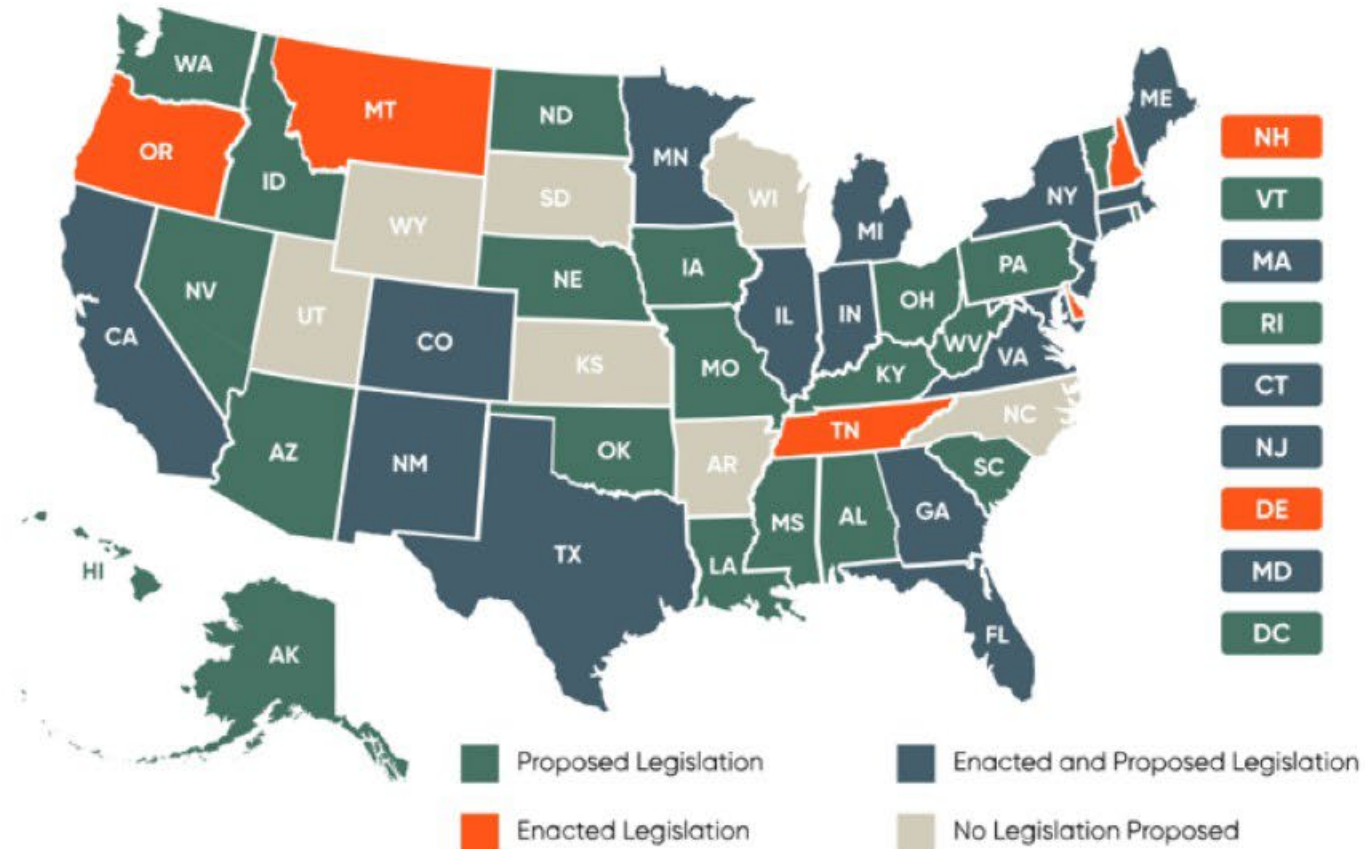


The Regulation of AI

State and Federal Initiatives



Nationwide AI Initiative



BCLP, *US State-By-State AI Legislation Snapshot*, (May 7, 2025) <https://www.bclplaw.com/en-US/events-insights-news/us-state-by-state-artificial-intelligence-legislation-snapshot.html>

California's Regulation of AI: Taking the Lead

- As of January 2025, 18 AI laws took effect in California
- Covers wide range of industries
 - Health care
 - Social media
 - Entertainment
- Covers wide range of areas
 - Transparency
 - Consumer protections
 - Misuse
 - Privacy
- Enforcement consist of:
 - Fines
 - Criminal penalties



Jeewon K. Serrato et. al., *California's AI Laws Are Here-Is Your Business Ready*, PillsburyLaw (May 7, 2025) <https://www.pillsburylaw.com/en/news-and-insights/california-ai-laws.html#:~:text=California%27s%20new%20AI%20laws%20set,commitment%20to%20safe%20guarding%20consumer%20interests>.

California's Regulation of AI: Health Care

Legislature	Effective Date	Summary	Applies To	Enforcement
AB 3030	Jan 1, 2025	Provide disclaimer when patient clinical information is communicated by AI, unless reviewed by provider before communication	Hospitals, clinics, and physician offices	The Medical Board of California and Osteopathic Medical Board
SB 1120	Jan 1, 2025	Only physicians can independently decide medical necessity for health care services Disclosure to public when AI is part of decision-making process	Health insurers and healthcare plans	California Department of Managed Health Care

California's Regulation of AI: California Consumer Privacy Act

Legislature	Effective Date	Summary	Applies To	Enforcement
SB 1223	Jan 1, 2025	Categorizes neural data as personal sensitive information; must obtain consent before processing neural data and provide opt-out option	Collectors of neural data	Attorney general
AB 1008	Jan 1, 2025	AI generating or processing of personal data is akin to regular personal information Must ensure AI generated personal data is protected	Collectors of personal information	Attorney General and California Privacy Protection Agency

Federal Regulation of AI:

Biden Administration released Executive Order (E.O.) 14110:

"The Federal Government will work to ensure that the workforce receive adequate training to understand the benefits, risks, and limitations of AI, and to modernize Federal Government information technology, reduce bureaucratic obstacles, and ensure that safe and rights-respecting AI is developed and used."

- Safety and security
- Innovation and competition
- Worker support
- Consideration of AI bias and civil rights
- Consumer protection
- Privacy
- Federal use of AI
- International leadership



workforce receive adequate training to understand the benefits, risks, and limitations of AI, and to modernize Federal Government information technology, reduce bureaucratic obstacles, and ensure that safe and rights-respecting AI is developed and used."

The White House News Brief



Executive Order 14277 Advancing Artificial Intelligence Education for American Youth

- Establish an Artificial Intelligence Task Force
- Establish the Presidential Artificial Intelligence Challenge
- Improve Education Through Artificial Intelligence
- Enhance Training for Educators in Artificial Intelligence



Proposed Federal Legislation: One Example of Many

A bipartisan bill has been proposed to enhance transparency regarding content produced by AI. The proposed legislation aims to guarantee that individuals are aware when they come across AI-generated content or engage with an AI chatbot by making it mandatory to provide explicit labels and disclosures.

- Developers must include a prominent disclosure that clearly identifies content and chatbots generated by AI.
- Developers and third-party licensees will be obligated to take necessary measures to prevent the widespread dissemination of content without appropriate disclosures.
- A working group will be formed to develop voluntary technical standards, allowing social media platforms to automatically identify and flag AI-generated content.

House Bipartisan Task Force on Artificial Intelligence

- A comprehensive report and key findings produced by the bipartisan House Task Force on Artificial Intelligence.
- Developed in consultation with committees of jurisdiction, the report includes guiding principles and forward-looking recommendations that may be appropriate to advance America's leadership in AI innovation responsibly.



“House Republicans Include a 10-year Ban on US States Regulating AI in 'big, beautiful' Bill”

“House Republicans surprised tech industry watchers and outraged state governments when they added a clause to Republicans’ signature “big, beautiful” tax bill that would ban states and localities from regulating artificial intelligence for a decade.”



International Regulation of AI

Final approval March 2024

“AI will reshape the world in both big and small ways”

Insights from IBM

The EU AI Act takes the right approach to AI regulation

↳ Sources: IBM Newsroom, EU Parliament, The World Economy Summit

This legislation should serve as a [blueprint globally](#). [Smart regulation](#) should be based on three core tenets: 1. regulate AI risk, not algorithms, 2. make AI creators and deployers accountable, not immune to liability, and 3. support open AI innovation, not an AI licensing regime.

E.U. Agrees on Landmark Artificial Intelligence Rules

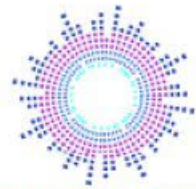
The agreement over the A.I. Act solidifies one of the world's first comprehensive attempts to limit the use of artificial intelligence.



Lawmakers discussed the A.I. Act in June at the European Parliament. Jean-Francois Badias/Associated Press

<https://www.nytimes.com/2023/12/08/technology/eu-ai-act-regulation.html?smid=nytcore-ios-share&referringSource=articleShare>

National Academy of Medicine Code of Conduct Development



Health Care Artificial Intelligence Code of Conduct

Toward a Code of Conduct for Artificial Intelligence in Health, Health Care, and Biomedical Science

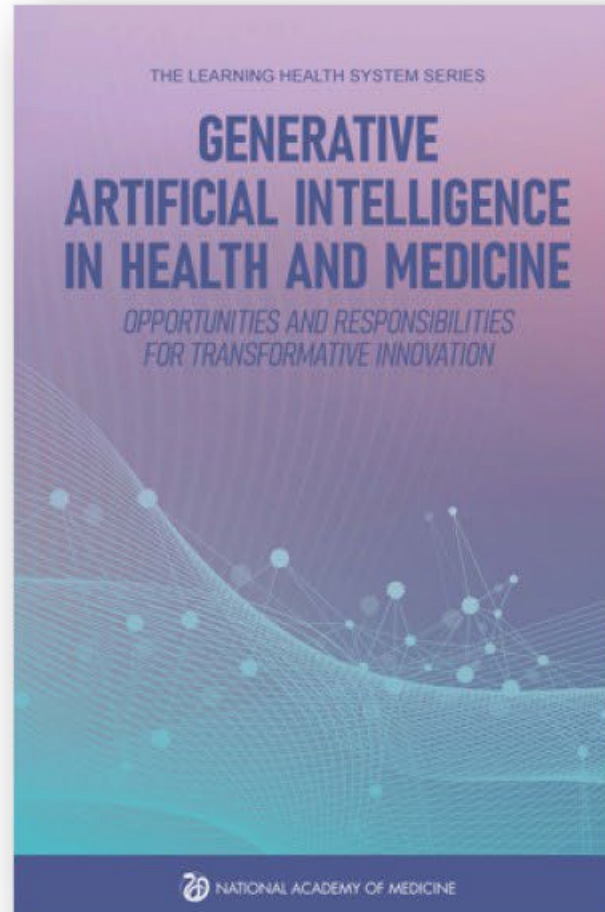
The Artificial Intelligence Code of Conduct (AICC) project is a pivotal initiative of the National Academy of Medicine (NAM), involving leading experts and stakeholders in developing a guiding framework to ensure that artificial intelligence (AI) and its application in health, health care, and biomedical science performs accurately, safely, reliably, and ethically in the service of better health for all. This project represents a unique opportunity for national leaders across disciplines to work together to advance artificial intelligence as a reliable and trustworthy force in health, health care, and biomedical science.

National Academy of Medicine: 7 Tips for the Responsible Use of AI

- Promote population-representative data with accessibility, standardization and quality is imperative.
- Prioritize ethical, equitable and inclusive medical AI while addressing explicit and implicit bias.
- Contextualize the dialogue of transparency and trust, which means accepting differential needs.
- Focus in the near term on augmented intelligence rather than AI autonomous agents.
- Develop and deploy appropriate training and educational programs
- Leverage frameworks and best practices for learning health care systems, human factors and implementation science.
- Balance innovation with safety through regulation and legislation to promote trust.



National Academy of Medicine



AMA Position Statement on AI

“The AMA House of Delegates uses the term *augmented intelligence* (AI) as a conceptualization of artificial intelligence that focuses on AI’s assistive role, emphasizing that its design enhances human intelligence rather than replaces it.”

The AMA is dedicated to making sure that AI can fully maximize its potential in enhancing clinical care and promoting the well-being of clinicians. As the quantity of AI-powered healthcare tools continues to increase, it is crucial that they are created, developed, and implemented in an ethical, fair, and responsible manner. The utilization of AI in healthcare must be open and understandable to both physicians and patients.

- Health care AI oversight
- When and what to disclose to advance AI transparency
- Generative AI policies and governance
- Physician liability for use of AI-enabled technologies
- AI data privacy and cybersecurity
- Payor use of AI and automated decision-making systems

Challenges on the Horizon

- Legislation has not yet caught up with new AI technology
- Insufficient case law to establish precedent
- Standard of care questions
- Increasing scrutiny



AI Driven Lawsuits

UnitedHealth uses faulty AI to deny elderly patients medically necessary coverage, lawsuit claims

**MONEY
WATCH**

By Elizabeth Napolitano
November 20, 2023 / 4:25 PM EST / MoneyWatch



BUSINESS

STA

Humana used algorithm in
'fraudulent scheme' to deny care to
Medicare Advantage patients, lawsuit
alleges



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AI Driven Investigations and Allegations

HOSPITALS & FACILITIES

Healthcare union alleges Kaiser Permanente illegally uses unlicensed clerks to direct mental health care

Patients experiencing mental health crises receive inadequate care as a result, according to the union.



KAISER PERMANENTE



KEN PAXTON
ATTORNEY GENERAL of TEXAS

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ATTORNEY GENERAL KEN PAXTON REACHES SETTLEMENT IN FIRST-OF-ITS-KIND HEA

September 18, 2024 | Press Release

Attorney General Ken Paxton Reaches Settlement in First-of-its-Kind Healthcare Generative AI Investigation



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How can healthcare benefit from AI without increasing the risk of harm?

AI Risk Reduction: General Strategies

- Verify responses with validated sources
- Business association agreement
- Cybersecurity strategy includes encryption, access controls, and security audits
- Patient transparency
- Policy development and training
 - Health Care Artificial Intelligence (AI) Toolkit - California Telehealth Resource Center



Risk Reduction Strategies: How to Query AI

- Queries should be clear and specific
 - Jurisdiction
 - Age
 - Gender
- Design prompts like a database search
 - And = return information containing both terms
 - OR = return information containing either term
 - “ ” = return information containing phrase in quotes
- Specify how you want the response generated

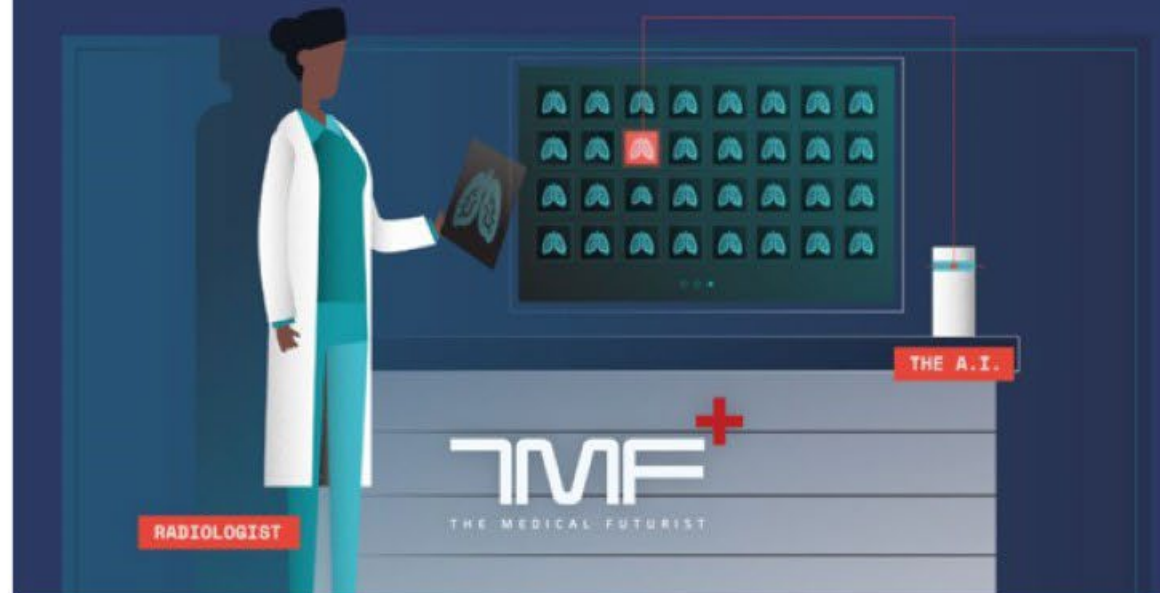


*"AI can complement healthcare professionals by handling routine tasks, assisting in diagnosis, and improving treatment plans. However, the human element of healthcare-empathy, judgment, ethical decision-making, and adaptability-remains irreplaceable. The optimal approach is likely to involve a **synergy between AI and human healthcare providers**, with AI supporting and enhancing the work of professionals while leaving the core aspects of patient care in the hands of trained experts." - ChatGPT 3.5, August 16, 2023*



„A.I. will not replace medical professionals. However, those medical professionals that use A.I. will replace those that don't.”

Dr. Bertalan Meskó ———



Thank you



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