Use of Artificial Intelligence (AI)

This is a CBH notice to providers on the use of artificial intelligence (AI) in matters related to contracted services involving CBH members. For this notice, "artificial intelligence" shall mean a machine-based system that, for a given set of human-defined objectives, can make predictions, recommendations, or decisions influencing real or virtual environments.

We recognize AI's growing use in healthcare and are committed to ensuring that its use aligns with CBH's priorities, including CBH members' privacy and safety.

While AI can enhance productivity by quickly analyzing data and offering insights, its reliability and validity have not been established. As a result, AI use carries significant risks, including concerns about privacy and the accuracy of AI-generated information.

In partnership with our providers, CBH wants to ensure, to the highest extent possible, that protected health information (PHI) is not intentionally or unintentionally used or disclosed in a manner that would violate the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule or any other federal or state regulation governing confidentiality and privacy of health information.

Understanding AI's limitations for clinical decision-making necessitates due diligence (i.e., consideration for bias, understanding where AI was/is normed, etc.). With this notice, CBH reinforces that an appropriately credentialed staff person is required to provide the service and that the individual(s) signing off on any service-related document is attesting to its accuracy. Documentation that does not accurately reflect the service provided and/or substantiate the service and duration billed may be subject to recovery and referral to oversight and/or law enforcement entities.

Therefore, CBH recommends that providers consider the following safeguards when using AI tools and applications:

➡ Develop an internal policy designed to establish provider guidelines regarding the use of AI.

➡ Refrain from uploading PHI into AI applications.

➡ Exercise extreme caution when using free AI applications or tools.

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➡ Complete security checks to ensure that your AI tools and applications are safe to use.

➡ Whenever possible, identify the sources or data pools the AI application draws information from to make decisions, and compare this to the population served to ensure demographic and cultural alignment.

Regardless of the purpose and how AI is operationalized, providers **must** adhere to all requirements outlined in the provider agreement, CBH provider manual, and applicable state and federal law/regulation.

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