

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

A Bill

HOUSE BILL 1816

5 By: Representative L. Johnson
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For An Act To Be Entitled

8
9 AN ACT TO PROHIBIT HEALTHCARE PROVIDERS AND
10 HEALTHCARE INSURERS FROM USING ARTIFICIAL
11 INTELLIGENCE IN THE DELIVERY OF HEALTHCARE SERVICES
12 OR THE GENERATION OF MEDICAL RECORDS UNLESS CERTAIN
13 REQUIREMENTS ARE MET; AND FOR OTHER PURPOSES.
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Subtitle

15
16 TO PROHIBIT HEALTHCARE PROVIDERS AND
17 HEALTHCARE INSURERS FROM USING
18 ARTIFICIAL INTELLIGENCE IN THE DELIVERY
19 OF HEALTHCARE SERVICES OR THE GENERATION
20 OF MEDICAL RECORDS UNLESS CERTAIN
21 REQUIREMENTS ARE MET.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code Title 17, Chapter 80, Subchapter 1, is
27 amended to add an additional section to read as follows:

28 17-80-123. Artificial intelligence in healthcare prohibition –
29 Exemption – Definitions.

30 (a) As used in this section:

31 (1) "Artificial intelligence" means a machine-based system that
32 can, for a given set of human-defined objectives, make predictions,
33 recommendations, or decisions influencing real or virtual environments;

34 (2)(A) "Health benefit plan" means:

35 (i) An individual, blanket, or group plan, or a
36 policy or contract for healthcare services offered, issued, renewed,



1 delivered, or extended in this state by a healthcare insurer; and

2 (ii) A health benefit program receiving state or
 3 federal appropriations from the State of Arkansas, including the Arkansas
 4 Medicaid Program and the Arkansas Health and Opportunity for Me Program or
 5 any successor program.

6 (B) "Health benefit plan" includes:

7 (i) Indemnity and managed care plans; and
 8 (ii) Nonfederal governmental plans as defined in 29
 9 U.S.C. § 1002(32), as it existed on January 1, 2025.

10 (C) "Health benefit plan" does not include:

11 (i) A plan that provides only dental benefits or eye
 12 and vision care benefits;

13 (ii) A disability income plan;

14 (iii) A credit insurance plan;

15 (iv) Insurance coverage issued as a supplement to
 16 liability insurance;

17 (v) A medical payment under an automobile or
 18 homeowners insurance plan;

19 (vi) A health benefit plan provided under Arkansas
 20 Constitution, Article 5, § 32, the Workers' Compensation Law, § 11-9-101 et
 21 seq., or the Public Employee Workers' Compensation Act, § 21-5-601 et seq.;

22 (vii) A plan that provides only indemnity for
 23 hospital confinement;

24 (viii) An accident-only plan;

25 (ix) A specified disease plan; or

26 (x) A long-term-care-only plan;

27 (3)(A) "Healthcare insurer" means an insurance company, hospital
 28 and medical service corporation, or health maintenance organization that
 29 issues or delivers health benefit plans in this state and is subject to:

30 (i) The insurance laws of this state;

31 (ii) Section 23-75-101 et seq., pertaining to
 32 hospital and medical service corporations; or

33 (iii) Section 23-76-101 et seq., pertaining to
 34 health maintenance organizations.

35 (B) "Healthcare insurer" does not include an entity that
 36 provides only dental benefits or eye and vision care benefits;

1 (4) "Healthcare provider" means an individual or entity that is
2 licensed in this state to provide healthcare services; and

3 (5) "Quality assurance laboratory" means an entity or facility
4 that tests and evaluates the performance of artificial intelligence and
5 ensures that the artificial intelligence meets high standards for accuracy,
6 reliability, safety, and ethical considerations.

7 (b) A healthcare provider or a healthcare insurer shall not use
8 artificial intelligence in the delivery of healthcare services or for the
9 generation of medical records unless the artificial intelligence is approved
10 by the United States Food and Drug Administration and verified by a quality
11 assurance laboratory.

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