



Key Takeaways from Senate HELP Ranking Member Bill Cassidy's White Paper on AI

On September 6, 2023, Senate HELP Ranking Member Bill Cassidy (R-LA) released a white paper on artificial intelligence (AI) titled "[Exploring Congress' Framework for the Future of AI](#)." At the end of the white paper, Sen. Cassidy asks for feedback and comments for ways to improve the framework in which these technologies are developed, reviewed, and used. Cassidy hopes to use the feedback to better understand the effects of AI and how potential legislation and regulation could impact the creation and utilization of this technology.

Here are some of the key takeaways from the white paper:

- Defining AI is challenging. For the purposes of this paper, it is defined as "is computers, or computer powered machines, exhibiting human-like intelligent capabilities."
- A one-size-fits-all approach for regulating AI will not work and will stifle, not foster, innovation. Additionally, only if our current frameworks are unable to accommodate continually changing AI, should Congress look to create new ones or modernize existing ones.
- AI has the potential to positively impact the drug research and development (R&D) process by helping create new therapies for patients and lowering the costs of the time-consuming drug development process.
- The Food and Drug Administration (FDA) has been facilitating the use of AI in early-stage drug development, and Congress should explore how to help the FDA with their challenge of recruiting and retaining qualified staff.
- Foundational questions about AI applications remain regarding the transparency of algorithm development, ongoing effectiveness of such applications, and who carries the liability if something goes wrong.
- AI can be used to detect, diagnose, and treat disease. In order to best leverage the utility of AI-enabled devices, clinicians need to be effectively trained, including in how to reduce the risk of misdiagnosis and mistreatment.
- The FDA is still figuring out how best to assess medical devices that use AI.
- Improving transparency about how an AI product works will build stakeholder trust in such products. Stakeholders also need a clear understanding of potential liability around the use of AI.
- AI can help streamline administrative tasks related to EHR use which is a leading cause of burnout.
- Health insurers can also leverage AI to great benefit, reducing the time, energy, and expenses dedicated to determining and managing health risks. However, we must also ensure that using AI for coverage decisions does not reduce needed care.
- For an AI tool to analyze information and predict outcomes, it needs a large data set. Such data could come from a hospital system, EHR vendor, or third-party application. Congress needs to consider if changes are needed in how health information is protected when it falls outside the scope of HIPAA (i.e., Third-party app).

Please email CHIME's Public Policy team at policy@chimecentral.org with any questions.