

HOUSE BILL No. 1620

DIGEST OF INTRODUCED BILL

Citations Affected: IC 16-18-2.5; IC 16-51-2; IC 27-8-44.

Synopsis: Disclosure of artificial intelligence use in health care. Requires a health care provider to disclose to a patient the provider's use of artificial intelligence technology to: (1) make or inform any decision involved in the provision of health care to the patient; or (2) generate any part of a communication to the patient regarding the patient's health care. Requires an insurer that provides accident and sickness coverage to disclose to an insured the insurer's use of artificial intelligence technology to: (1) make or inform any decision involved in the provision of the coverage to the insured; or (2) generate any part of a communication to the insured regarding the coverage.

Effective: July 1, 2025.

King

January 21, 2025, read first time and referred to Committee on Public Health.



First Regular Session of the 124th General Assembly (2025)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2024 Regular Session of the General Assembly.

HOUSE BILL No. 1620

A BILL FOR AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 16-18-2-160, AS AMENDED BY P.L.50-2021,
2 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2025]: Sec. 160. (a) "Health care", for purposes of IC 16-36-1
4 **and IC 16-51-2.5**, has the meaning set forth in IC 16-36-1-1.

5 (b) "Health care", for purposes of IC 16-36-7, has the meaning set
6 forth in IC 16-36-7-9.

7 SECTION 2. IC 16-18-2-163, AS AMENDED BY
8 P.L.179-2022(ss), SECTION 4, IS AMENDED TO READ AS
9 FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 163. (a) Except as
10 provided in subsection (c), "health care provider", for purposes of
11 IC 16-21 and IC 16-41, means any of the following:

12 (1) An individual, a partnership, a corporation, a professional
13 corporation, a facility, or an institution licensed or legally
14 authorized by this state to provide health care or professional
15 services as a licensed physician, a psychiatric hospital, a hospital,
16 a health facility, an emergency ambulance service (IC 16-31-3),
17 a dentist, a registered or licensed practical nurse, a midwife, an



optometrist, a pharmacist, a podiatrist, a chiropractor, a physical therapist, a respiratory care practitioner, an occupational therapist, a psychologist, a paramedic, an emergency medical technician, an advanced emergency medical technician, an athletic trainer, or a person who is an officer, employee, or agent of the individual, partnership, corporation, professional corporation, facility, or institution acting in the course and scope of the person's employment.

(2) A college, university, or junior college that provides health care to a student, a faculty member, or an employee, and the governing board or a person who is an officer, employee, or agent of the college, university, or junior college acting in the course and scope of the person's employment.

(3) A blood bank, community mental health center, community intellectual disability center, community health center, or migrant health center.

(4) A home health agency (as defined in IC 16-27-1-2).

(5) A health maintenance organization (as defined in IC 27-13-1-19).

(6) A health care organization whose members, shareholders, or partners are health care providers under subdivision (1).

(7) A corporation, partnership, or professional corporation not otherwise qualified under this subsection that:

(A) provides health care as one (1) of the corporation's, partnership's, or professional corporation's functions;

(B) is organized or registered under state law; and

(C) is determined to be eligible for coverage as a health care provider under IC 34-18 for the corporation's, partnership's, or professional corporation's health care function.

Coverage for a health care provider qualified under this subdivision is limited to the health care provider's health care functions and does not extend to other causes of action.

(b) "Health care provider", for purposes of IC 16-35, has the meaning set forth in subsection (a). However, for purposes of IC 16-35, the term also includes a health facility (as defined in section 167 of this chapter).

(c) "Health care provider", for purposes of IC 16-32-5, IC 16-36-5, IC 16-36-6, ~~and~~ IC 16-41-10, **and IC 16-51-2.5**, means an individual licensed or authorized by this state to provide health care or professional services as:

(1) a licensed physician;

(2) a registered nurse;



- (3) a licensed practical nurse;
- (4) an advanced practice registered nurse;
- (5) a certified nurse midwife;
- (6) a paramedic;
- (7) an emergency medical technician;
- (8) an advanced emergency medical technician;
- (9) an emergency medical responder, as defined by section 109.8 of this chapter;
- (10) a licensed dentist;
- (11) a home health aide, as defined by section 174 of this chapter;
- or
- (12) a licensed physician assistant.

The term includes an individual who is an employee or agent of a health care provider acting in the course and scope of the individual's employment.

(d) "Health care provider", for purposes of IC 16-36-7, has the meaning set forth in IC 16-36-7-12.

(e) "Health care provider", for purposes of IC 16-40-4, means any of the following:

- (1) An individual, a partnership, a corporation, a professional corporation, a facility, or an institution licensed or authorized by the state to provide health care or professional services as a licensed physician, a psychiatric hospital, a hospital, a health facility, an emergency ambulance service (IC 16-31-3), an ambulatory outpatient surgical center, a dentist, an optometrist, a pharmacist, a podiatrist, a chiropractor, a psychologist, or a person who is an officer, employee, or agent of the individual, partnership, corporation, professional corporation, facility, or institution acting in the course and scope of the person's employment.
- (2) A blood bank, laboratory, community mental health center, community intellectual disability center, community health center, or migrant health center.
- (3) A home health agency (as defined in IC 16-27-1-2).
- (4) A health maintenance organization (as defined in IC 27-13-1-19).
- (5) A health care organization whose members, shareholders, or partners are health care providers under subdivision (1).
- (6) A corporation, partnership, or professional corporation not otherwise specified in this subsection that:
 - (A) provides health care as one (1) of the corporation's, partnership's, or professional corporation's functions;



(B) is organized or registered under state law; and

(C) is determined to be eligible for coverage as a health care provider under IC 34-18 for the corporation's, partnership's, or professional corporation's health care function.

(7) A person that is designated to maintain the records of a person described in subdivisions (1) through (6).

(f) "Health care provider", for purposes of IC 16-45-4, has the meaning set forth in 47 CFR 54.601(a).

SECTION 3. IC 16-51-2.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]:

Chapter 2.5. Disclosure of Use of Artificial Intelligence in Provision of Health Care

Sec. 1. As used in this chapter, "artificial intelligence" has the meaning set forth in 15 U.S.C. 9401.

Sec. 2. As used in this chapter, "chat bot" means a computer program that simulates written or spoken human conversation in response to written or spoken input.

Sec. 3. As used in this chapter, "health care" has the meaning set forth in IC 16-36-1-1.

Sec. 4. As used in this chapter, "health care provider" has the meaning set forth in IC 16-18-2-163(c).

Sec. 5. A health care provider that:

(1) provides health care to an individual; and

(2) uses artificial intelligence technology to:

(A) make or inform any decision involved in the provision of the health care to the individual; or

(B) generate any part of a communication to the individual regarding the health care, including through a chat bot;

shall disclose the use of the artificial intelligence technology to the individual.

SECTION 4. IC 27-8-44 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]:

Chapter 44. Disclosure of Use of Artificial Intelligence in Provision of Accident and Sickness Insurance

Sec. 1. As used in this chapter, "artificial intelligence" has the meaning set forth in 15 U.S.C. 9401.

Sec. 2. As used in this chapter, "chat bot" means a computer program that simulates written or spoken human conversation in response to written or spoken input.

Sec. 3. As used in this chapter, "coverage" has the meaning set



1 forth in IC 27-2-25-1.

2 Sec. 4. As used in this chapter, "insured" means an individual
3 who is entitled to coverage under a policy of accident and sickness
4 insurance.

5 Sec. 5. As used in this chapter, "insurer" means a person that
6 issues a policy of accident and sickness insurance.

7 Sec. 6. As used in this chapter, "policy of accident and sickness
8 insurance" has the meaning set forth in IC 27-8-5-1.

9 Sec. 7. An insurer that:

10 (1) provides coverage to an insured under a policy of accident
11 and sickness insurance; and

12 (2) uses artificial intelligence technology to:

13 (A) make or inform any decision involved in the provision
14 of the coverage to the insured; or

15 (B) generate any part of a communication to the insured
16 regarding the coverage, including through a chat bot;

17 shall disclose the use of the artificial intelligence technology to the
18 insured.

