

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
95th General Assembly
Regular Session, 2025

A Bill

HOUSE BILL 1816

By: Representative L. Johnson

For An Act To Be Entitled

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

Subtitle

TO PROHIBIT HEALTHCARE PROVIDERS AND
HEALTHCARE INSURERS FROM USING
ARTIFICIAL INTELLIGENCE IN THE DELIVERY
OF HEALTHCARE SERVICES OR THE GENERATION
OF MEDICAL RECORDS UNLESS CERTAIN
REQUIREMENTS ARE MET.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 17, Chapter 80, Subchapter 1, is amended to add an additional section to read as follows:

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

(a) As used in this section:

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

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

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



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

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

(B) "Health benefit plan" includes:

(i) Indemnity and managed care plans; and

(ii) Nonfederal governmental plans as defined in 29 U.S.C. § 1002(32), as it existed on January 1, 2025.

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

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

(ii) A disability income plan;

(iii) A credit insurance plan;

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

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

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

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

(viii) An accident-only plan;

(ix) A specified disease plan; or

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

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

(i) The insurance laws of this state;

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

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

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

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

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

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