

Artificial Intelligence (AI) Usage Policy:

Subject:

This policy outlines the acceptable, safe, and ethical use of Artificial Intelligence (AI) tools, including Generative AI (GenAI), machine learning, and AI-powered scribes—within Mark Twain Health Care District

Objective:

The goal is to enhance clinical workflows and efficiency while ensuring patient safety, data security, and compliance with HIPAA and other privacy laws.

Response Rating: This policy applies to all employees, contractors, clinicians Board members.

Required Equipment: Approved AI Tool, phone, computer.

Procedure:

1. Purpose and Scope

This policy outlines the acceptable, safe, and ethical use of Artificial Intelligence (AI) tools—including Generative AI (GenAI), machine learning, and AI-powered scribes—within Mark Twain Health Care District. The goal is to enhance clinical workflows and efficiency while ensuring patient safety, data security, and compliance with HIPAA and other privacy laws.

- **Scope:** This policy applies to all employees, contractors, and clinicians.
- **Definitions:** “AI” includes tools that automate tasks, transcribe conversations, or generate content.

2. Data Privacy and Confidentiality (HIPAA Compliance)

- **No Public AI Tools:** Employees are strictly prohibited from entering Protected Health Information (PHI), Patient Identifiable Information (PII), or confidential business data into public, non-approved AI tools (e.g., free versions of ChatGPT).
- **Approved Vendors Only:** Only AI tools specifically vetted by the IT/Compliance department and covered by a Business Associate Agreement (BAA) may be used for patient care.
- **Data Masking:** If using authorized AI, remove or mask sensitive patient identifiers (names, dates of birth, Social Security Numbers) before inputting information.

3. Human Oversight and Accountability

- **“Human in the Loop”:** AI is a tool to support, not replace, clinical judgment. A qualified clinician must review, edit, and approve all AI-generated content (e.g., clinical notes, suggested treatment plans) before it is finalized in the Electronic Health Record (EHR).
- **Final Responsibility:** The clinician signing the note or making the diagnosis holds full responsibility for the accuracy of the information, regardless of whether AI was used to generate it.

4. Prohibited AI Usage

Employees are prohibited from:

- Using AI for making final, unreviewed diagnostic or treatment decisions.
- Inputting patient information into unauthorized, “public facing” Generative AI.
- Using AI to generate fraudulent documentation.
- Allowing AI to communicate directly with patients without human supervision.

5. Transparency and Patient Consent

- **Disclosure:** If an AI tool is used in a manner that directly impacts patient interaction (e.g., AI ambient listening for documentation), patients should be informed.
- **Opt-out:** The clinic will provide a mechanism for patients to opt-out of having their conversation recorded by AI.

6. Bias Mitigation and Safety

- **Validation:** All AI tools must be validated for accuracy and potential bias against patient demographics (race, gender, age) before deployment.
- **Reporting:** If an employee notices an AI tool producing inaccurate, biased, or harmful output, they must immediately report it to the [Clinical Governance Committee/IT Department].

7. Training and Compliance

- **Training:** All staff using AI tools must undergo training on this policy and the specific functionalities of the approved tools.
- **Violations:** Violations of this policy may result in disciplinary action, up to and including termination of employment or contract.

8. Policy Review

This policy will be reviewed biennially and more often when AI medium or laws change to ensure it keeps pace with rapidly evolving AI technology and regulations.