

1 H.814

2 An act relating to neurological rights and the use of artificial intelligence
3 technology in health and human services

4 It is hereby enacted by the General Assembly of the State of Vermont:

5 Sec. 1. INTENT

6 It is the intent of the General Assembly to:

7 (1) protect human rights, promote equity, increase efficiency, enhance
8 accessibility, create transparency, and guarantee accountability in health care
9 and human services through the ethical and responsible use of artificial
10 intelligence technology;

11 (2) maximize the benefits and minimize the risks of the use of artificial
12 intelligence in health care and human services;

13 (3) promote the ethical and responsible use of augmented intelligence in
14 service delivery, coverage determinations, and access to health care and human
15 services;

16 (4) prevent harm from the use of augmented and other artificial
17 intelligence in health care and human services;

18 (5) improve the experience of patients, providers, and payers through
19 the use of augmented and other artificial intelligence; and

1 (6) improve quality of care, drive positive health outcomes, and
2 cultivate population health through the use of augmented and other artificial
3 intelligence.

4 Sec. 2. 18 V.S.A. chapter 42C is added to read:

5 CHAPTER 42C. NEUROLOGICAL RIGHTS

6 § 1891. PURPOSE; INDIVIDUAL RIGHTS

7 The State of Vermont recognizes that each individual has the right to:

8 (1) mental and neural data privacy;

9 (2) the freedom of thought;

10 (3) nondiscrimination in the development and application of
11 neurotechnologies;

12 (4) change an individual's decision regarding neurotechnology and the
13 right to determine by what means to change that decision;

14 (5) be afforded protection from neurotechnological interventions of the
15 mind and from unauthorized access to or manipulation of an individual's brain
16 activity; and

17 (6) be afforded protection from unauthorized neurotechnological
18 alterations in mental functions critical to personality.

19 Sec. 3. 3 V.S.A. § 5023 is amended to read:

20 § 5023. ARTIFICIAL INTELLIGENCE ADVISORY COUNCIL

1 (2) research existing and potential uses of artificial intelligence in public
2 participation processes and in public finance; and

3 (3) create opportunities for public education and engagement in the
4 development of artificial intelligence policy.

5 (b) On or before January 15, 2027, the Artificial Intelligence Advisory
6 Council, in coordination with the Director of the Division of Artificial
7 Intelligence, shall submit a written report to the General Assembly:

8 (1) recommending any additional statutory changes necessary to further
9 the purposes of this act, including:

10 (A) protections for neurological rights, protections related to
11 neurotechnologies, and proposed definitions for relevant terminology;

12 (B) guidance on the use of generative artificial intelligence by
13 regulated professions; and

14 (C) regulating the use of artificial and augmented intelligence in
15 health insurance utilization review processes;

16 (2) summarizing any additional ways that government can promote the
17 ethical and responsible use of artificial intelligence technology in health and
18 human services and in education;

19 (3) proposing pilot projects that improve public engagement in public
20 finance using ethical and responsible artificial intelligence technology; and

1 (4) identifying any reasons for further delaying or removing the new
2 2030 sunset of the Artificial Intelligence Advisory Council as set forth in Sec.
3 4 of this act.

4 Sec. 5. EFFECTIVE DATE

5 This act shall take effect on passage.