



WRITTEN TESTIMONY

H.814 — An Act Relating to Neurological Rights and the Use of Artificial Intelligence Technology in Health and Human Services

Vermont Senate Committee on Health and Welfare

Submitted by: Rick Barnett, Psy.D., Licensed Psychologist
Chair, Legislative Committee, Vermont Psychological Association

I. Introduction and Standing

I am a licensed psychologist practicing in Vermont and Chair of the Legislative Committee for the Vermont Psychological Association (VPA). I testified on H.814 before the House Committee on Health Care and submit this written testimony as the bill moves before the Senate Committee on Health and Welfare.

My testimony today is narrowly focused. The VPA supports H.814. I am here to make one specific request regarding the composition of the Artificial Intelligence Advisory Council.

II. The Vermont Psychological Association Supports H.814

H.814 as passed by the House establishes foundational neurological rights protections for Vermonters, expands and extends the AI Advisory Council, and directs the Council to report to the Legislature on the ethical use of AI in health care, human services, and education. These are measured and important provisions, and the VPA supports their passage.

The neurological rights framework is particularly significant. As brain-computer interface technology develops, Vermonters deserve clear legal protections for neural data privacy, freedom of thought, and protection from unauthorized manipulation of brain activity. Vermont has an opportunity to establish these rights before the technology is widespread rather than after harms have occurred.

III. Psychology Must Have a Seat on the Advisory Council

The AI Advisory Council as expanded in H.814 is charged with developing guidance on the use of generative artificial intelligence by regulated professions in Vermont. It will recommend statutory changes to protect neurological rights and will shape policy on AI use in health insurance utilization review. These are matters that intersect directly and substantially with the practice of psychology.

The expanded Council includes seats for the Vermont Medical Society, the National Association of Social Workers Vermont Chapter, the Vermont-National Education Association, the Executive Director of Racial Equity, the Attorney General, and the State Treasurer. These are appropriate inclusions. But psychology is not represented.

Psychologists occupy a specific and distinct role in Vermont's behavioral health system. We are trained scientists and clinicians with deep expertise in psychological assessment, evidence-based treatment, and the science of human cognition and behavior — precisely the domains most implicated by AI applications in mental health care. Our perspective is not duplicative of the Vermont Medical Society's. A physician's lens on AI in health care and a psychologist's lens on AI in mental health, assessment, and cognitive liberty are meaningfully different.

The VPA respectfully requests that the Senate add one member to the Advisory Council, designated by the Vermont Psychological Association, with expertise in psychology and its intersection with artificial intelligence. This is a modest request with meaningful consequences for the quality of guidance the Council produces.

IV. Proposed Amendment Language

The VPA proposes the following addition to Section 3 of H.814, amending 3 V.S.A. § 5023(b)(1), immediately following the existing subparagraph (N):

PROPOSED AMENDMENT LANGUAGE

(N) one member with relevant knowledge and expertise, appointed by the Governor;

(O) one member with expertise in psychology and the use of artificial intelligence in mental health care and behavioral health services, designated by the Vermont Psychological Association.

This amendment requires no additional appropriation and imposes no additional reporting burden. It ensures that the Council's guidance on AI in regulated professions reflects the distinct expertise of Vermont's licensed psychologists.

V. Conclusion

The Vermont Psychological Association supports H.814 and urges the Senate to pass the bill with the addition of a VPA-designated seat on the Artificial Intelligence Advisory Council. The Council will be writing the AI policy that governs our profession. We ask for the opportunity to help get it right.

I am grateful for the opportunity to testify and am available to answer questions at the Committee's convenience.

Rick Barnett, Psy.D.

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