

April 29, 2026

The Honorable Virginia Lyons, Chair
Senate Committee on Health and Welfare
Vermont General Assembly

Re: HB 816 – An Act Relating to the Use of Artificial Intelligence in the Provision of Mental Health Services

Dear Chair Lyons:

TechNet is the national, bipartisan network of technology companies that promotes the growth of the innovation economy by advocating a targeted policy agenda at the federal and 50-state level. TechNet's diverse membership includes 100 dynamic American businesses ranging from startups to the most iconic companies on the planet and represents five million employees and countless customers in the fields of information technology, artificial intelligence, e-commerce, the sharing and gig economies, advanced energy, transportation, cybersecurity, venture capital, and finance.

I write on behalf of TechNet's member companies to express seeking amendments to HB 816 to clarify the scope and permissible uses of AI in mental health services.

Telemedicine is increasing access to healthcare for thousands of Vermonters, and AI is one of many tools these platforms are leveraging to deliver services for your constituents. TechNet members seek some clarifying amendments to ensure the delivery of these services is appropriate and aligned with professional standards.

Specifically, we are seeking changes to ensure that the scope is tailored to tools that are actually being used to provide services otherwise provided by a licensed practitioner, and not simply relaying feedback from a provider to the client.

"Mental health services" means counseling, therapy, or psychotherapy services which are provided by a provider of mental and behavioral health care within his or her authorized scope of practice, used to diagnose or treat an individual's mental or behavioral health or provide ongoing recovery support, including providing therapeutic decisions, issuing direct therapeutic communications, generating treatment plans or recommendations, or detecting or interpreting emotion or mental states.

"Therapeutic communication" means a written, verbal or nonverbal interaction, conducted in a clinical or professional setting, that is intended to diagnose, or

treat any type of mental behavioral health concern, provide ongoing recovery support, or provide any advice related to diagnosis, treatment, or recovery, such as:

- (A) engaging in direct clinical interactions with clients that constitutes the delivery of therapy or psychotherapy for the purpose of understanding or reflecting the client's or patient's thoughts;
- (B) providing independent clinical guidance, therapeutic strategies or interventions designed to achieve mental health outcomes;
- (C) offering emotional support, reassurance or empathy in response to suicidal or violent ideations emotional or psychological distress;
- (D) collaborating with a patient or client to develop or modify treatment plans or therapeutic goals; and
- (E) delivering feedback that constitutes the delivery of therapy or psychotherapy intended to promote growth or address mental health outcomes

"Therapeutic communication" does not include general wellness education, instruction, or guidance that is intended to promote overall health and well-being.

TechNet members are supportive of guardrails intended to protect clients and patients without unduly limiting tools used by providers to more effectively serve Vermonters. Thank you for your consideration.

Sincerely,



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Executive Director, Northeast
TechNet
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