



April 8, 2026

Testimony to Senate Health and Welfare Committee

Re: H.816: Use of Artificial Intelligence in Mental Health Services

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Legislative Chair, Vermont Psychological Association

To Chair Lyons, Vice Chair Gulick and Members of the Senate Health and Welfare Committee:

The Vermont Psychological Association supports the intent of H.816 to ensure safe and responsible use of artificial intelligence in mental health care. However, as currently drafted, the bill does not distinguish between unregulated AI tools and **clinically validated digital therapeutics**, including those that are FDA-cleared or FDA-authorized and used under clinician supervision.

This distinction is important. FDA-cleared digital therapeutics are subject to regulatory review for safety and efficacy and are designed to supplement—not replace—licensed professionals. These tools can support adherence, extend between-session care, and improve access, particularly in rural and underserved areas. Without clarification, H.816 may unintentionally restrict the use of regulated, evidence-based tools already integrated into clinical practice.

Recent developments underscore the need for careful differentiation. For example, a pilot project involving Legion Health in Utah has received approval to use AI-supported prescribing workflows for routine, low-risk psychiatric medication refills under clinical oversight. This type of structured, supervised, and bounded use of AI illustrates the direction of emerging regulated care models—not replacement of clinicians, but augmentation within defined safety parameters.

To preserve access to safe, regulated innovations while maintaining appropriate guardrails, we respectfully recommend adding the following **Proposed Amendment**:

This section shall not apply to FDA-cleared or FDA-authorized digital therapeutics used under the supervision of a licensed health care professional and compliant with applicable privacy and security laws.

This clarification would maintain consumer protections while ensuring that Vermont clinicians and patients retain access to clinically validated, HIPAA-compliant, regulated technologies.

Respectfully submitted,

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Legislative Committee Chair

Vermont Psychological Association