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INSIGHTS

House Energy and Commerce Reviews How AI is Changing Health Care

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On November 29, 2023, the House Energy and Commerce Health Subcommittee held a hearing on [Understanding How AI is Changing Health Care](#). Committee Members delved into critical aspects of integrating artificial intelligence (AI) into health care. Members covered a wide variety of AI topics, including how to prioritize safety and privacy, ensure that HIPAA covers AI, and ensure that the data going into AI models is accurate and fair. Lastly, they highlighted the need for patients to be informed if AI is being used for their care.

WITNESSES

- [Dr. Michael Schlosser](#), M.D., MBA, Senior Vice President of Care Transformation and Innovation, HCA Healthcare
- [Dr. Benjamin Nguyen](#), Senior Product Manager, Transcarent
- [Mr. Peter Shen](#), Head of Digital Health – North America, Siemens Healthineers
- [Dr. Christopher Longhurst](#), M.D., Chief Medical Officer, Chief Digital Officer and Association Dean, UC San Diego Health
- [Dr. David Newman-Toker](#), M.D., Ph.D., Director, Division of Neuro-Visual and Vestibular Disorders, Department of Neurology, Professor of Neurology, Johns Hopkins University School of Medicine

MEMBER DISCUSSION

Members discussed safety with witnesses and asked about patient data protection. Dr. Michael Schlosser discussed how HCA's AI tools have HIPAA integrated but that 3rd party tools are not being built with HIPAA, which is concerning. Dr. Schlosser noted that HCA Healthcare's "responsible AI Program" emphasizes privacy and security. Members and witnesses have brought up multiple times the need for transparency in AI-derived clinical decisions and for humans always to be the decision makers; AI should only be used to support the clinician, not replace them. .

Members also discussed the need for an accurate and fair database for any AI tool. They also discussed ethical considerations and potential biases in AI algorithms, with many participants stating that transparency and testing could mitigate racial or social biases built into data sets. Witnesses

underscored the necessity of good initial data and that minorities should be overrepresented to account for potential biases.

The committee was also very interested in AI's benefits in healthcare. Members were keen to understand promising ways AI could address rural healthcare challenges, create efficiencies, and maintain a balance between cost considerations and the benefits of AI in health care. The witnesses said AI should be treated like any other tool you purchase to improve efficiency. Dr. Schlosser stated that his ER doctors are having over 20-30% of their time returned to them using AI tools.

The hearing touched on legislative and regulatory initiatives, including support for the Create AI Act and the National Artificial Intelligence Research Resource (NAIRR) discussions. Dr. Christopher Longhurst expressed his support for this legislation. He highlighted that AI researchers and students will have greater access to the complex resources, data, and tools needed to develop safe and trustworthy artificial intelligence. When asked about the FDA's role in this approval process and if the FDA should continue to be the authoritative body, the witnesses said the FDA was working adequately. They said AI is too integrated into medical products to switch authority to a different agency.

We trust you found this summary useful. Please reach out to [us](#) with any questions.

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