

Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 26-0298.01 Brita Darling x2241

HOUSE BILL 26-1195

HOUSE SPONSORSHIP

Rydin and Mabrey,

SENATE SPONSORSHIP

Amabile and Mullica,

House Committees
Health & Human Services

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING RESTRICTIONS ON THE USE OF ARTIFICIAL INTELLIGENCE**
102 **RELATING TO PSYCHOTHERAPY SERVICES.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill prohibits licensed, certified, or registered psychologists, professional counselors, social workers, clinical social workers, marriage and family therapists, addiction counselors, or candidates for those credentials, as well as unlicensed psychotherapists and other individuals lawfully permitted to provide psychotherapy services in the state (regulated professionals), from using an artificial intelligence system to:

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

HOUSE
Amended 2nd Reading
April 13, 2026

- Directly interact with clients in any form of therapeutic communication;
- Generate therapeutic recommendations or treatment plans without review and approval by regulated professionals; or
- Detect emotions or mental states.

Under current law, the practice of "psychotherapy" or "psychotherapy services" means, in pertinent part: Treatment, diagnosis, testing, assessment, or counseling in a professional relationship to assist individuals or groups to alleviate behavioral and mental health disorders; understand unconscious or conscious motivation; resolve emotional, relationship, or attitudinal conflicts; or modify behaviors that interfere with effective emotional, social, or intellectual functioning. Psychotherapy follows a planned procedure of intervention that takes place on a regular basis or over a period of time, or, in the cases of testing, assessment, and brief psychotherapy, psychotherapy can be a single intervention. The definition of psychotherapy in current law also states that it is the intent of the general assembly that the definition of psychotherapy be interpreted in its narrowest sense to regulate only those persons that clearly fall within the definition.

The bill allows regulated professionals to use an artificial intelligence system to assist in providing administrative support or supplementary support for psychotherapy services if the regulated professional maintains full responsibility for all interactions, outputs, and data use associated with the artificial intelligence system.

Further, if a client's therapeutic session will be recorded or transcribed through the use of an artificial intelligence system, the regulated professional must obtain written, informed consent from the client or the client's representative.

The bill does not prohibit the use of an artificial intelligence system within accredited or approved educational, instructional, or professional training programs so long as the artificial intelligence system is used solely for educational, administrative, simulation, or training purposes and is not deployed or marketed for use with clients, patients, or the public.

The bill also does not prohibit the development or testing of an artificial intelligence system solely for research purposes under the oversight of a federally registered institutional review board, so long as the artificial intelligence system is not offered to consumers or used to provide psychotherapy services outside of the research setting.

Further, the bill also does not prohibit the use of a technology or service that provides self-help, coaching, guided meditation, or wellness tools and that does not diagnose or treat mental health disorders and clearly discloses that the technology or service is not a substitute for clinical care.

The applicable board that regulates a regulated professional may

take disciplinary action against a regulated professional that violates prohibitions in the bill concerning the use of artificial intelligence systems relating to psychotherapy services.

The bill also makes it unlawful for an individual, corporation, or entity (person) to provide, advertise, or otherwise offer psychotherapy services to the public in the state unless the services are provided by a regulated professional.

It is an unfair trade practice under the "Colorado Consumer Protection Act" for a person to use a term, letter, or phrase in the advertising, interface, or outputs of an artificial intelligence system that indicates or implies that the artificial intelligence system's output data is endorsed by or equivalent to psychotherapy services provided by regulated professionals or represent that the artificial intelligence system provides psychotherapy services or that users' data or information is confidential.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 12-245-224, **amend**
3 (1)(w) and (1)(x); and **add** (1)(y) as follows:

4 **12-245-224. Prohibited activities - related provisions -**
5 **definition.**

6 (1) A person licensed, registered, or certified under this article 245
7 violates this article 245 if the person:

8 (w) Has sold or fraudulently obtained or furnished a license,
9 registration, or certification to practice as a psychologist, social worker,
10 marriage and family therapist, licensed professional counselor,
11 psychotherapist, or addiction counselor or has aided or abetted in those
12 activities; ~~or~~

13 (x) Has failed to respond, in the manner required by the board, to
14 a complaint filed with or by the board against the licensee, registrant, or
15 certificate holder; OR

16 (y) FAILS TO COMPLY WITH SECTION 12-245-224.5 CONCERNING
17 THE USE OF ARTIFICIAL INTELLIGENCE SYSTEMS.

1 **SECTION 2.** In Colorado Revised Statutes, **add 12-245-224.5** as
2 follows:

3 **12-245-224.5. Use of artificial intelligence systems for**
4 **psychotherapy services - permitted use by regulated individuals -**
5 **consent - use in educational and training settings and research -**
6 **prohibited use - definitions.**

7 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
8 REQUIRES:

9 (a) (I) "ADMINISTRATIVE SUPPORT" MEANS TASKS THAT:

10 (A) ARE PERFORMED TO ASSIST A LICENSEE, REGISTRANT,
11 CERTIFICATE HOLDER, OR OTHER INDIVIDUAL LAWFULLY PERMITTED TO
12 PROVIDE PSYCHOTHERAPY SERVICES IN THE STATE IN THE DELIVERY OF
13 PSYCHOTHERAPY SERVICES; AND

14 (B) DO NOT INVOLVE THERAPEUTIC COMMUNICATION.

15 (II) "ADMINISTRATIVE SUPPORT" INCLUDES THE FOLLOWING, AT A
16 MINIMUM:

17 (A) MANAGING APPOINTMENT SCHEDULING AND REMINDERS;

18 (B) PROCESSING BILLING AND INSURANCE CLAIMS; AND

19 (C) DRAFTING GENERAL COMMUNICATIONS RELATED TO THERAPY
20 LOGISTICS THAT DO NOT INCLUDE THERAPEUTIC ADVICE.

21 (b) "ARTIFICIAL INTELLIGENCE SYSTEM" MEANS ANY
22 MACHINE-BASED SYSTEM THAT, FOR ANY EXPLICIT OR IMPLICIT OBJECTIVE,
23 INFERS FROM THE INPUTS THE SYSTEM RECEIVES HOW TO GENERATE
24 OUTPUTS, INCLUDING CONTENT, DECISIONS, PREDICTIONS, OR
25 RECOMMENDATIONS, THAT CAN INFLUENCE PHYSICAL OR VIRTUAL
26 ENVIRONMENTS.

27 (c) (I) "CONSENT" MEANS A CLEAR, EXPLICIT, AFFIRMATIVE,

1 SPECIFIC, AND UNAMBIGUOUS WRITTEN AGREEMENT, INCLUDING A
2 WRITTEN AGREEMENT PROVIDED BY ELECTRONIC MEANS, ENTERED INTO
3 BY AN INDIVIDUAL THAT IS REVOCABLE BY THE INDIVIDUAL.

4 (II) "CONSENT" DOES NOT INCLUDE AN AGREEMENT THAT IS
5 OBTAINED BY ANY OF THE FOLLOWING MEANS:

6 (A) THE ACCEPTANCE OF A GENERAL OR BROAD TERMS OF USE
7 AGREEMENT OR A SIMILAR DOCUMENT THAT CONTAINS DESCRIPTIONS OF
8 ARTIFICIAL INTELLIGENCE ALONG WITH OTHER UNRELATED INFORMATION;

9 (B) AN INDIVIDUAL INTERACTING WITH A GIVEN PIECE OF DIGITAL
10 CONTENT IN A MANNER THAT INVOLVES HOVERING OVER, MUTING,
11 PAUSING, OR CLOSING THE DIGITAL CONTENT; OR

12 (C) AN AGREEMENT OBTAINED THROUGH THE USE OF DECEPTION.

13 (d) "SUPPLEMENTARY SUPPORT" MEANS TASKS PERFORMED TO
14 ASSIST A LICENSEE, REGISTRANT, CERTIFICATE HOLDER, OR OTHER
15 INDIVIDUAL LAWFULLY PERMITTED TO PROVIDE PSYCHOTHERAPY
16 SERVICES IN THE STATE IN THE DELIVERY OF PSYCHOTHERAPY SERVICES
17 THAT DO NOT INVOLVE THERAPEUTIC COMMUNICATION AND THAT ARE NOT
18 ADMINISTRATIVE SUPPORT. "SUPPLEMENTARY SUPPORT" INCLUDES, AT A
19 MINIMUM:

20 (I) PREPARING AND MAINTAINING CLIENT RECORDS, INCLUDING
21 THERAPY NOTES;

22 (II) ANALYZING DATA TO TRACK CLIENT PROGRESS OR IDENTIFY
23 TRENDS, SUBJECT TO REVIEW BY A LICENSEE, REGISTRANT, CERTIFICATE
24 HOLDER, OR OTHER INDIVIDUAL LAWFULLY PERMITTED TO PROVIDE
25 PSYCHOTHERAPY SERVICES IN THE STATE; AND

26 (III) IDENTIFYING AND ORGANIZING INTERNAL AND EXTERNAL
27 RESOURCES OR REFERRALS FOR CLIENT USE.

1 (e) (I) "THERAPEUTIC COMMUNICATION" MEANS ANY VERBAL,
2 NONVERBAL, OR WRITTEN INTERACTION CONDUCTED IN A CLINICAL OR
3 PROFESSIONAL SETTING THAT MEETS THE DEFINITION OF PSYCHOTHERAPY
4 SERVICES. "THERAPEUTIC COMMUNICATION" INCLUDES:

5 (A) DIRECT INTERACTIONS WITH CLIENTS FOR THE PURPOSE OF
6 UNDERSTANDING OR REFLECTING THEIR THOUGHTS, EMOTIONS, OR
7 EXPERIENCES;

8 (B) PROVIDING GUIDANCE, THERAPEUTIC STRATEGIES, OR
9 INTERVENTIONS DESIGNED TO ACHIEVE MENTAL OR BEHAVIORAL HEALTH
10 OUTCOMES;

11 (C) OFFERING EMOTIONAL SUPPORT, REASSURANCE, OR EMPATHY
12 IN RESPONSE TO PSYCHOLOGICAL OR EMOTIONAL DISTRESS;

13 (D) COLLABORATING WITH CLIENTS TO DEVELOP OR MODIFY
14 THERAPEUTIC GOALS OR TREATMENT PLANS; AND

15 (E) OFFERING BEHAVIORAL FEEDBACK INTENDED TO PROMOTE
16 PSYCHOLOGICAL GROWTH OR TO ADDRESS MENTAL OR BEHAVIORAL
17 HEALTH CONDITIONS.

18 (II) "THERAPEUTIC COMMUNICATION" DOES NOT INCLUDE
19 GENERAL WELLNESS EDUCATION, INSTRUCTION, OR GUIDANCE THAT IS
20 INTENDED TO PROMOTE OVERALL HEALTH AND WELL-BEING, RATHER THAN
21 TO DIAGNOSE, TREAT, OR ADDRESS A SPECIFIC MENTAL, EMOTIONAL, OR
22 BEHAVIORAL HEALTH CONCERN.

23 (2) A LICENSEE, REGISTRANT, CERTIFICATE HOLDER, OR OTHER
24 INDIVIDUAL LAWFULLY PERMITTED TO PROVIDE PSYCHOTHERAPY
25 SERVICES IN THE STATE MAY USE AN ARTIFICIAL INTELLIGENCE SYSTEM TO
26 ASSIST IN PROVIDING ADMINISTRATIVE SUPPORT OR SUPPLEMENTARY
27 SUPPORT FOR PSYCHOTHERAPY SERVICES IF THE LICENSEE, REGISTRANT,

1 CERTIFICATE HOLDER, OR OTHER INDIVIDUAL LAWFULLY PERMITTED TO
2 PROVIDE PSYCHOTHERAPY SERVICES IN THE STATE MAINTAINS
3 RESPONSIBILITY FOR REVIEWING ANY OUTPUTS OF THE ARTIFICIAL
4 INTELLIGENCE SYSTEM USED TO PROVIDE ADMINISTRATIVE SUPPORT OR
5 SUPPLEMENTARY SUPPORT AND SATISFIES THE REQUIREMENTS SET FORTH
6 IN SUBSECTION (4) OF THIS SECTION.

7 (3) THE USE OF AN ARTIFICIAL INTELLIGENCE SYSTEM IS SUBJECT
8 TO AND MUST COMPLY WITH APPLICABLE STATE AND FEDERAL PRIVACY
9 AND SECURITY LAWS, INCLUDING THE "HEALTH INSURANCE PORTABILITY
10 AND ACCOUNTABILITY ACT OF 1996", PUB.L. 104-191, AND ITS
11 IMPLEMENTING REGULATIONS.

12 (4) (a) A LICENSEE, REGISTRANT, CERTIFICATE HOLDER, OR OTHER
13 INDIVIDUAL LAWFULLY PERMITTED TO PROVIDE PSYCHOTHERAPY
14 SERVICES IN THE STATE SHALL NOT USE AN ARTIFICIAL INTELLIGENCE
15 SYSTEM TO RECORD OR TRANSCRIBE A CLIENT'S THERAPEUTIC SESSION,
16 UNLESS:

17 (I) THE CLIENT OR THE CLIENT'S LEGALLY AUTHORIZED
18 REPRESENTATIVE IS INFORMED IN ADVANCE IN WRITING OF THE
19 FOLLOWING:

20 (A) THAT AN ARTIFICIAL INTELLIGENCE SYSTEM WILL BE USED;
21 AND

22 (B) THE SPECIFIC PURPOSE FOR WHICH THE ARTIFICIAL
23 INTELLIGENCE SYSTEM WILL BE USED;

24 (II) THE CLIENT OR THE CLIENT'S LEGALLY AUTHORIZED
25 REPRESENTATIVE CONSENTS IN WRITING TO THE USE OF THE ARTIFICIAL
26 INTELLIGENCE SYSTEM; AND

27 (III) THE CLIENT'S REFUSAL TO PROVIDE OR LATER DECISION TO

1 REVOKE THE CONSENT REQUIRED PURSUANT TO SUBSECTION (4)(a)(II) OF
2 THIS SECTION SHALL NOT BE USED AS A BASIS TO DENY PSYCHOTHERAPY
3 SERVICES.

4 (b) THE CONSENT REQUIRED PURSUANT TO SUBSECTION (4)(a)(II)
5 OF THIS SECTION FOR THE USE OF AN ARTIFICIAL INTELLIGENCE SYSTEM TO
6 RECORD OR TRANSCRIBE THERAPEUTIC SESSIONS IS REQUIRED ONLY FOR
7 THE INITIAL USE OF THE ARTIFICIAL INTELLIGENCE SYSTEM OCCURRING ON
8 OR AFTER THE EFFECTIVE DATE OF THIS SECTION AND NOT FOR EACH
9 SUBSEQUENT THERAPEUTIC SESSION, UNLESS THE PURPOSE OR MANNER OF
10 USE MATERIALLY CHANGES.

11 (5) A LICENSEE, REGISTRANT, CERTIFICATE HOLDER, OR OTHER
12 INDIVIDUAL LAWFULLY PERMITTED TO PROVIDE PSYCHOTHERAPY
13 SERVICES IN THE STATE SHALL NOT ALLOW AN ARTIFICIAL INTELLIGENCE
14 SYSTEM TO DO ANY OF THE FOLLOWING:

15 (a) INTERACT WITH CLIENTS IN ANY FORM OF THERAPEUTIC
16 COMMUNICATION WITHOUT SYNCHRONOUS, REAL-TIME INTERACTION
17 BETWEEN THE LICENSEE, REGISTRANT, CERTIFICATE HOLDER, OR OTHER
18 INDIVIDUAL LAWFULLY PERMITTED TO PROVIDE PSYCHOTHERAPY
19 SERVICES IN THE STATE, THE ARTIFICIAL INTELLIGENCE SYSTEM, AND THE
20 CLIENT; OR

21 (b) GENERATE THERAPEUTIC RECOMMENDATIONS OR TREATMENT
22 PLANS WITHOUT REVIEW AND APPROVAL BY THE LICENSEE, REGISTRANT,
23 CERTIFICATE HOLDER, OR OTHER INDIVIDUAL LAWFULLY PERMITTED TO
24 PROVIDE PSYCHOTHERAPY SERVICES IN THE STATE.

25 (6) EXCEPT AS PROVIDED IN SUBSECTIONS (7) AND (8) OF THIS
26 SECTION, A LICENSEE, REGISTRANT, CERTIFICATE HOLDER, OR OTHER
27 INDIVIDUAL LAWFULLY PERMITTED TO PROVIDE PSYCHOTHERAPY

1 SERVICES IN THE STATE SHALL NOT USE AN ARTIFICIAL INTELLIGENCE
2 SYSTEM TO PROVIDE, DIRECT, GUIDE, OR ATTEMPT TO PROVIDE, DIRECT, OR
3 GUIDE PSYCHOTHERAPY, CLINICAL INTERVENTION, COUNSELING,
4 DIAGNOSIS, TREATMENT PLANNING, OR ANY OTHER ACTIVITY THAT
5 CONSTITUTES THE PRACTICE OF PSYCHOTHERAPY WITH AN INDIVIDUAL OR
6 A GROUP UNLESS THE USE COMPLIES WITH SUBSECTION (5) OF THIS
7 SECTION.

8 (7) NOTHING IN THIS SECTION PROHIBITS A LICENSEE, REGISTRANT,
9 CERTIFICATE HOLDER, OR OTHER INDIVIDUAL LAWFULLY PERMITTED TO
10 PROVIDE PSYCHOTHERAPY SERVICES IN THE STATE FROM USING AN
11 ARTIFICIAL INTELLIGENCE SYSTEM WITHIN AN ACCREDITED OR APPROVED
12 EDUCATIONAL, INSTRUCTIONAL, OR PROFESSIONAL TRAINING PROGRAM,
13 SO LONG AS THE ARTIFICIAL INTELLIGENCE SYSTEM:

14 (a) IS USED SOLELY FOR EDUCATIONAL, ADMINISTRATIVE,
15 SIMULATION, OR TRAINING PURPOSES;

16 (b) NOTWITHSTANDING SUBSECTION (5)(a) OF THIS SECTION, IS
17 NOT DEPLOYED, MARKETED, OR REPRESENTED AS A TOOL FOR USE WITH
18 CLIENTS, PATIENTS, OR MEMBERS OF THE PUBLIC; AND

19 (c) FOR ANY SIMULATION, TRAINING MODULE, OR EDUCATIONAL
20 ACTIVITY THAT INCLUDES CONTENT RELATED TO CLINICAL
21 DECISION-MAKING, IS REVIEWED OR CONTROLLED BY AN INDIVIDUAL
22 LICENSED, CERTIFIED, REGISTERED, OR OTHERWISE LAWFULLY PERMITTED
23 TO PROVIDE PSYCHOTHERAPY SERVICES IN THE STATE.

24 (8) NOTHING IN THIS SECTION PROHIBITS A LICENSEE, REGISTRANT,
25 CERTIFICATE HOLDER, OR OTHER INDIVIDUAL LAWFULLY PERMITTED TO
26 PROVIDE PSYCHOTHERAPY SERVICES IN THE STATE FROM BEING INVOLVED
27 IN THE DEVELOPMENT, TESTING, OR EVALUATION OF AN ARTIFICIAL

1 INTELLIGENCE SYSTEM SOLELY FOR RESEARCH PURPOSES CONDUCTED
2 UNDER THE OVERSIGHT OF AN INSTITUTIONAL REVIEW BOARD REGISTERED
3 WITH THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN
4 SERVICES, SO LONG AS THE ARTIFICIAL INTELLIGENCE SYSTEM IS NOT
5 OFFERED TO CONSUMERS OR USED TO PROVIDE PSYCHOTHERAPY SERVICES
6 OUTSIDE OF THE RESEARCH SETTING.

7 (9) THIS SECTION DOES NOT APPLY TO A LICENSEE, REGISTRANT,
8 CERTIFICATE HOLDER, OR OTHER INDIVIDUAL LAWFULLY PERMITTED TO
9 PROVIDE PSYCHOTHERAPY SERVICES IN THE STATE WHO USES OR
10 RECOMMENDS THE USE OF A TECHNOLOGY OR SERVICE THAT:

11 (a) PROVIDES SELF-HELP, THERAPEUTIC HOMEWORK, COACHING,
12 GUIDED MEDITATION, JOURNALING, REFLECTIONS, PSYCHOEDUCATION,
13 GOAL SETTING, PROGRESS TRACKING, THERAPEUTIC SESSION
14 PREPARATION, THERAPEUTIC SESSION SUMMARIES, MOOD MONITORING,
15 MINDFULNESS EXERCISES, BREATHING EXERCISES, CRISIS RESOURCE
16 DIRECTORIES, SAFETY PLANNING, OTHER WELLNESS TOOLS, OR FEDERAL
17 FOOD AND DRUG ADMINISTRATION-APPROVED TECHNOLOGY OR ARTIFICIAL
18 INTELLIGENCE SYSTEMS;

19 (b) DOES NOT DIAGNOSE OR TREAT MENTAL HEALTH DISORDERS;
20 AND

21 (c) CLEARLY DISCLOSES THAT THE TECHNOLOGY OR SERVICE IS
22 NOT A SUBSTITUTE FOR CLINICAL CARE.

23

24 **SECTION 3.** In Colorado Revised Statutes, **add** 6-1-1705.2 as
25 follows:

26 **6-1-1705.2. Use of artificial intelligence systems -**
27 **psychotherapy services - prohibited practices - definitions.**

1 (1) A PERSON SHALL NOT USE ANY TERM, LETTER, OR PHRASE IN
2 THE ADVERTISING, INTERFACE, OR OUTPUTS OF AN ARTIFICIAL
3 INTELLIGENCE SYSTEM IN A MANNER THAT:

4 (a) INDICATES OR IMPLIES THAT THE ARTIFICIAL INTELLIGENCE
5 SYSTEM'S OUTPUT DATA IS BEING PROVIDED BY, IS ENDORSED BY, OR IS
6 EQUIVALENT TO SERVICES PROVIDED BY AN INDIVIDUAL LICENSED,
7 REGISTERED, OR CERTIFIED IN THE STATE PURSUANT TO ARTICLE 245 OF
8 TITLE 12 TO ENGAGE IN THE PRACTICE OF PSYCHOTHERAPY OR TO PROVIDE
9 PSYCHOTHERAPY SERVICES;

10 (b) REPRESENTS THAT THE ARTIFICIAL INTELLIGENCE SYSTEM
11 PROVIDES PSYCHOTHERAPY SERVICES; OR

12 (c) REPRESENTS THAT A USER'S DATA OR INFORMATION IS
13 CONFIDENTIAL.

14 (2) A PERSON SHALL NOT PROVIDE, ADVERTISE, OR OTHERWISE
15 OFFER PSYCHOTHERAPY SERVICES TO THE PUBLIC IN THE STATE,
16 INCLUDING THROUGH THE USE OF AN ARTIFICIAL INTELLIGENCE SYSTEM,
17 UNLESS THE PSYCHOTHERAPY SERVICES ARE CONDUCTED IN ACCORDANCE
18 WITH THIS SECTION BY A LICENSEE, REGISTRANT, CERTIFICATE HOLDER, OR
19 OTHER INDIVIDUAL LAWFULLY PERMITTED TO PROVIDE PSYCHOTHERAPY
20 SERVICES IN THE STATE.

21 (3) EXCEPT AS PROVIDED IN SUBSECTIONS (4) AND (5) OF THIS
22 SECTION, AN ARTIFICIAL INTELLIGENCE SYSTEM MUST NOT PROVIDE,
23 DIRECT, GUIDE, OR ATTEMPT TO PROVIDE, DIRECT, OR GUIDE
24 PSYCHOTHERAPY, CLINICAL INTERVENTION, COUNSELING, DIAGNOSIS,
25 TREATMENT PLANNING, OR ANY OTHER ACTIVITY THAT CONSTITUTES THE
26 PRACTICE OF PSYCHOTHERAPY WITH AN INDIVIDUAL OR A GROUP UNLESS
27 THE USE COMPLIES WITH SECTION 12-245-224.5 (5)(a).

1 (4) NOTHING IN THIS SECTION PROHIBITS THE USE OF AN ARTIFICIAL
2 INTELLIGENCE SYSTEM WITHIN AN ACCREDITED OR APPROVED
3 EDUCATIONAL, INSTRUCTIONAL, OR PROFESSIONAL TRAINING PROGRAM,
4 SO LONG AS THE ARTIFICIAL INTELLIGENCE SYSTEM:

5 (a) IS USED SOLELY FOR EDUCATIONAL, ADMINISTRATIVE,
6 SIMULATION, OR TRAINING PURPOSES;

7 (b) NOTWITHSTANDING SECTION 12-245-224.5 (5)(a), IS NOT
8 DEPLOYED, MARKETED, OR REPRESENTED AS A TOOL FOR USE WITH
9 CLIENTS, PATIENTS, OR MEMBERS OF THE PUBLIC; AND

10 (c) FOR ANY SIMULATION, TRAINING MODULE, OR EDUCATIONAL
11 ACTIVITY THAT INCLUDES CONTENT RELATED TO CLINICAL
12 DECISION-MAKING, IS REVIEWED OR CONTROLLED BY AN INDIVIDUAL
13 LICENSED, CERTIFIED, REGISTERED, OR OTHERWISE LAWFULLY PERMITTED
14 TO PROVIDE PSYCHOTHERAPY SERVICES IN THE STATE.

15 (5) NOTHING IN THIS SECTION PROHIBITS THE DEVELOPMENT,
16 TESTING, OR EVALUATION OF AN ARTIFICIAL INTELLIGENCE SYSTEM
17 SOLELY FOR RESEARCH PURPOSES CONDUCTED UNDER THE OVERSIGHT OF
18 AN INSTITUTIONAL REVIEW BOARD REGISTERED WITH THE UNITED STATES
19 DEPARTMENT OF HEALTH AND HUMAN SERVICES, SO LONG AS THE
20 ARTIFICIAL INTELLIGENCE SYSTEM IS NOT OFFERED TO CONSUMERS OR
21 USED TO PROVIDE PSYCHOTHERAPY SERVICES OUTSIDE OF THE RESEARCH
22 SETTING.

23 (6) THIS SECTION DOES NOT APPLY TO THE USE OF A TECHNOLOGY
24 OR SERVICE THAT:

25 (a) PROVIDES SELF-HELP, THERAPEUTIC HOMEWORK, COACHING,
26 GUIDED MEDITATION, JOURNALING, REFLECTIONS, PSYCHOEDUCATION,
27 GOAL SETTING, PROGRESS TRACKING, THERAPEUTIC SESSION

1 PREPARATION, THERAPEUTIC SESSION SUMMARIES, MOOD MONITORING,
2 MINDFULNESS EXERCISES, BREATHING EXERCISES, CRISIS RESOURCE
3 DIRECTORIES, SAFETY PLANNING, OTHER WELLNESS TOOLS, OR FEDERAL
4 FOOD AND DRUG ADMINISTRATION-APPROVED TECHNOLOGY OR ARTIFICIAL
5 INTELLIGENCE SYSTEMS;

6 (b) DOES NOT DIAGNOSE OR TREAT MENTAL HEALTH DISORDERS;
7 AND

8 (c) CLEARLY DISCLOSES THAT THE TECHNOLOGY OR SERVICE IS
9 NOT A SUBSTITUTE FOR CLINICAL CARE.

10 (7) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
11 REQUIRES:

12 (a) "ARTIFICIAL INTELLIGENCE SYSTEM" HAS THE MEANING SET
13 FORTH IN SECTION 12-245-224.5.

14 (b) "PERSON" HAS THE MEANING SET FORTH IN SECTION 2-4-401
15 (8).

16 (c) "PSYCHOTHERAPY" OR "PSYCHOTHERAPY SERVICES" HAS THE
17 MEANING SET FORTH IN SECTION 12-245-202.

18 **SECTION 4. Act subject to petition - effective date -**
19 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
20 the expiration of the ninety-day period after final adjournment of the
21 general assembly (August 12, 2026, if adjournment sine die is on May 13,
22 2026); except that, if a referendum petition is filed pursuant to section 1
23 (3) of article V of the state constitution against this act or an item, section,
24 or part of this act within such period, then the act, item, section, or part
25 will not take effect unless approved by the people at the general election

1 to be held in November 2026 and, in such case, will take effect on the
2 date of the official declaration of the vote thereon by the governor.

3 (2) This act applies to actions taken on or after the applicable
4 effective date of this act. ■