



Kristen Petry Outlines New AI Legislation Impact and Best Practices for Health Care Organizations in Law360

Spencer Fane attorney [Kristen Petry](#) discusses the regulatory impact of the late 2023 Executive Order on Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence and the Artificial Intelligence Research, Innovation, and Accountability Act (AIRIA) in her recently authored *Law360* article, [Healthcare Industry Must Prepare for Greater AI Regulation](#).

The piece examines how the Biden administration's [executive order](#) establishes an eight-part blueprint for AI policy development, magnifying what the new legislation means for the U.S. Department of Health and Human Services in particular. Because the executive order still maintains a very broad definition of AI, Kristen warns that "developers and users of even basic machine-based systems in the health care industry should pay careful attention to actions taken by federal agencies pursuant to the executive order."

The more definitive [AIRIA](#), arguably the strongest AI legislation to date, targets the ethical development of critical or high-impact AI applications, which Kristen explains make decisions "with a legal or similar significant effect" on biometric data or on the "access of an individual to housing, employment, credit, education, health care or insurance," respectively. AIRIA would likely require health care organizations to disclose comprehensive transparency reports for such systems, given their risk to safety and constitutional rights.

To adequately prepare for future regulatory action, Kristen advises that health care organizations establish a baseline AI code of ethics, governance policy, and reporting system.

At Spencer Fane, Kristen helps clients in the health care industry navigate simple and complex litigation and compliance issues. She has defended large hospital systems and individual health care providers including physicians, nurses, therapists, dentists, and chiropractors.

Read Kristen's full article [here](#). Please note, a *Law360* subscription may be required.