

SB2259



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB2259

Introduced 2/7/2025, by Sen. Laura Fine

SYNOPSIS AS INTRODUCED:

225 ILCS 60/67 new

Amends the Medical Practice Act of 1987. Defines terms. Provides that a health facility, clinic, physician's office, or office of a group practice that uses generative artificial intelligence to generate written or verbal patient communications pertaining to patient clinical information shall ensure that the communications meet certain criteria. Provides that a communication that is generated by generative artificial intelligence and read and reviewed by a human licensed or certified health care provider is not subject to the amendatory provisions. Provides that a violation of the amendatory provisions by a licensed health facility or a licensed clinic is subject to penalties as implemented by the Department of Financial and Professional Regulation by rule. Provides that a violation of the amendatory provisions by a physician is subject to penalties as determined by the Illinois State Medical Board.

LRB104 09338 AAS 19396 b

A BILL FOR

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Medical Practice Act of 1987 is amended by
5 adding Section 67 as follows:

6 (225 ILCS 60/67 new)

7 Sec. 67. Use of generative artificial intelligence.

8 (a) As used in this Section:

9 "Artificial intelligence" means a machine-based system
10 that, for explicit or implicit objectives, infers, from the
11 input it receives, how to generate outputs such as
12 predictions, content, recommendations, or decisions that can
13 influence physical or virtual environments. "Artificial
14 intelligence" includes generative artificial intelligence.

15 "Clinic" means an organized outpatient health facility
16 that provides direct medical, surgical, dental, optometric, or
17 podiatric advice, services, or treatment to patients who
18 remain in the facility less than 24 hours, and that may also
19 provide diagnostic or therapeutic services to patients in the
20 home as an incident to care provided at the clinic facility.

21 "Clinic" does not mean a place, establishment, or institution
22 that solely provides advice, counseling, information, or
23 referrals on the maintenance of health or on the means and

1 measures to prevent or avoid sickness, disease, or injury,
2 where that advice, counseling, information, or referral does
3 not constitute the practice of medicine, surgery, dentistry,
4 optometry, or podiatry.

5 "Generative artificial intelligence" means an automated
6 computing system that, when prompted with human prompts,
7 descriptions, or queries, can produce outputs that simulate
8 human-produced content, including, but not limited to, the
9 following:

10 (1) textual outputs, such as short answers, essays,
11 poetry, or longer compositions or answers;

12 (2) image outputs, such as fine art, photographs,
13 conceptual art, diagrams, and other images;

14 (3) multimedia outputs, such as audio or video in the
15 form of compositions, songs, or short-form or long-form
16 audio or video; and

17 (4) other content that would be otherwise produced by
18 human means.

19 "Health care provider" means a physician, a registered
20 professional nurse, or other individual appropriately
21 licensed, certified, or registered to provide health care
22 services.

23 "Health facility" means a facility, place, or building
24 that is organized, maintained, and operated for the diagnosis,
25 care, prevention, and treatment of physical or mental human
26 illness, including convalescence and rehabilitation and

1 including care during and after pregnancy, or for any one or
2 more of these purposes, for one or more persons, to which the
3 persons are admitted for a 24-hour stay or longer.

4 "Office of a group practice" means an office or offices in
5 which 2 or more physicians are legally organized as a
6 partnership, professional corporation, or not-for-profit
7 corporation.

8 "Patient clinical information" means information relating
9 to the health status of a patient. "Patient clinical
10 information" does not include administrative matters,
11 including, but not limited to, appointment scheduling,
12 billing, or other clerical or business matters.

13 "Physician's office" means an office of a physician in
14 solo practice.

15 (b) A health facility, clinic, physician's office, or
16 office of a group practice that uses generative artificial
17 intelligence to generate written or verbal patient
18 communications pertaining to patient clinical information
19 shall ensure that the communications include both of the
20 following:

21 (1) A disclaimer that indicates to the patient that
22 the communication was generated by generative artificial
23 intelligence and that is provided in the following manner:

24 (A) for written communications involving physical
25 and digital media, including letters, emails, and
26 other occasional messages, the disclaimer shall appear

1 prominently at the beginning of each communication;

2 (B) for written communications involving
3 continuous online interactions, including chat-based
4 telehealth, the disclaimer shall be prominently
5 displayed throughout the interaction;

6 (C) for audio communications, the disclaimer shall
7 be provided verbally at the start and the end of the
8 interaction; or

9 (D) for video communications, the disclaimer shall
10 be prominently displayed throughout the interaction.

11 (2) Clear instructions describing how a patient may
12 contact a human health care provider, employee of the
13 health facility, clinic, physician's office, or office of
14 a group provider, or other appropriate person.

15 (c) If a communication is generated by generative
16 artificial intelligence and read and reviewed by a human
17 licensed or certified health care provider, the requirements
18 of subdivision (b) do not apply.

19 (d) A violation of this Section by a licensed health
20 facility or a licensed clinic is subject to penalties as
21 implemented by the Department by rule.

22 (e) A violation of this Section by a physician is subject
23 to penalties as determined by the Medical Board.