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H.B. 525
136th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsors: Reps. Cockley and T. Mathews

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SUMMARY

- Authorizes a licensed therapy professional to utilize artificial intelligence to assist in providing supplementary support while engaged in therapeutic communication with a client upon the satisfaction of specified requirements.
- Prohibits a licensed therapy professional from utilizing artificial intelligence to make therapeutic decisions or otherwise interact with a client in a therapeutic setting.
- Permits a therapy professional licensing board to impose a fine not exceeding \$10,000 against a licensed therapy professional who violates the bill's provisions.

DETAILED ANALYSIS

Use of artificial intelligence by licensed therapy professionals

The bill establishes requirements concerning when a licensed therapy professional may utilize artificial intelligence when providing therapy or psychotherapy services. For purposes of the bill, artificial intelligence means “a machine-based system that, for explicit or implicit objectives, infers, from the input it receives, how to generate outputs such as predictions, content, recommendations, or decisions that can influence physical or virtual environments.”¹ Artificial intelligence may include a generative artificial intelligence system that is trained on data, designed to simulate human conversation, and generates nonscripted outputs similar to outputs created by a human.²

¹ R.C. 4743.21(A)(2).

² R.C. 4743.21(A)(3).

Under the bill, a licensed therapy professional includes (1) a psychologist, independent school psychologist, or school psychologist,³ (2) a professional clinical counselor, independent social worker, independent marriage and family therapist, art therapist, or music therapist, (3) an independent chemical dependency counselor, (4) a certified mental health assistant, (5) a certified Ohio behavior analyst, and (6) any other professional authorized to provide therapy or psychotherapy services.⁴

Permitted use of artificial intelligence

The bill permits a licensed therapy professional to utilize artificial intelligence to assist with tasks that provide supplementary support when the professional is engaging in therapeutic communication with a client receiving therapy or psychotherapy services. The bill defines “supplementary support” as tasks that are performed to assist a licensed therapy professional in providing therapy or psychotherapy services, such as preparing and maintaining client records and therapy notes, analyzing anonymized data to track client progress or identify trends, and identifying and organizing external resources or referrals for client use.⁵

Before utilizing artificial intelligence for supplementary support, the bill requires a licensed therapy professional to obtain the written informed consent of a patient or the patient’s authorized representative indicating that the patient or the patient’s authorized representative has been informed that artificial intelligence will be used and for what specific purpose it will be used. Additionally, the licensed therapy professional must enter into all necessary business associate agreements to ensure compliance with the Health Insurance Portability and Accountability Act.⁶

The bill further provides that all records kept by a licensed therapy professional and all communications between an individual seeking therapy or psychotherapy services and the licensed professional must be confidential and not be disclosed, unless the records are required to be disclosed under continuing law unchanged by the bill.⁷

Prohibited use of artificial intelligence

The bill prohibits a licensed therapy professional from using artificial intelligence for any of the following:⁸

- Making independent therapeutic decisions, including diagnosing a client;

³ The bill applies to school psychologists licensed by the State Board of Psychology. It does not apply to school psychologists licensed by the Department of Education and Workforce.

⁴ R.C. 4743.21(A)(4).

⁵ R.C. 4743.21(A)(7) and (B)(1).

⁶ R.C. 4743.21(B)(2).

⁷ R.C. 4743.21(D); R.C. 5119.28, not in the bill.

⁸ R.C. 4743.21(C).

- Directly interacting with clients in any form of communication that is intended to diagnose, treat, or address a client’s mental, emotional, or behavioral health concerns;
- Generating therapeutic recommendations or treatment plans without review and approval from the professional;
- Detecting emotions or mental states.

Excluded therapies

The bill’s provisions regarding artificial intelligence do not apply to (1) religious counseling provided by clergy members, pastoral counselors, or other religious leaders, or (2) peer support services that are provided without clinical intervention.⁹

Penalty

The bill authorizes a therapy professional licensing board to fine a licensed therapy professional an amount not to exceed \$10,000 for each violation of the bill’s provisions.¹⁰ Under the bill, a therapy professional licensing board includes (1) the State Board of Psychology, (2) the Counselor, Social Worker, and Marriage and Family Therapist Board, (3) the Chemical Dependency Professionals Board, (4) the State Medical Board, and (5) any other professional licensing board in Ohio that licenses or certifies a professional authorized to provide therapy or psychotherapy services.¹¹

HISTORY

Action	Date
Introduced	10-15-25

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⁹ R.C. 4743.21(A)(5), (6), and (9).

¹⁰ R.C. 4743.21(E).

¹¹ R.C. 4743.21(A)(10).