



May 6, 2024

The Honorable Ami Bera, M.D.
United States House of Representatives
Washington, DC 20515

RE: Request for Information on the State of Artificial Intelligence in Health Care

Dear Representative Bera:

The Alliance of Community Health Plans (ACHP) appreciates the opportunity to respond to your Request for Information regarding the current state of Artificial Intelligence (AI) in health care. ACHP and its member companies are committed to providing high-quality, affordable access to health care. Though health care has relied on AI for decades, the emergence of more advanced AI technology has enormous potential. At the same time, these same technologies pose significant risks of unintended consequences – emphasizing the need for greater understanding of its capabilities and future impact on health care. We look forward to working with you and other members of Congress to establish thoughtful policies for the appropriate and effective oversight of AI in health care.

ACHP is the only national organization promoting the unique payer-provider aligned model in health care, delivering affordable, coordinated and comprehensive coverage options. Our member companies collaborate with their provider partners to deliver higher-quality coverage and care to tens of millions of Americans in nearly 40 states and D.C. Anchored in their communities, ACHP member companies understand the transformative impact of an integrated system of care, in which providers, payers and community leaders work together to enhance access to services and improve health outcomes.

A recent ACHP survey indicated that use of AI among member companies is varied. Frequent applications include improvements to employee efficiency through office productivity tools and customer service enhancements with chat bots, voice bots or agent assist tools that help beneficiaries navigate plan resources. ACHP member companies also indicated they are collaborating with vendors that use AI rather than building their own system. These AI applications tend to rely on natural language processing, large language models, robotic process automation and predictive analytics.

To govern the internal use of AI, ACHP member companies have either established AI governance committees and strategies, centers of excellence, responsible use committees or are actively finalizing those internal initiatives. These initiatives often comprise cross-functional teams to set standards and strategies and ensure the thoughtful and responsible adoption of AI. Despite this work, obstacles remain, and our members have significant concerns about data hygiene, inequitable industry resources, patient privacy, bias and explainability/traceability.

Data hygiene is a significant concern due to the potential of poor-quality health care data which may be incomplete or inaccurate. Health plans and other health care entities will need to undertake significant efforts to improve the quality of the data AI models rely on to ensure appropriate and accurate AI outputs. Inequitable industry resources are also a concern, particularly for regional, nonprofit health plans. These smaller health plans do not have the



level of resources as the for-profit national plans to make large investments in a skilled AI workforce to manage massive data sets and make improvements to cybersecurity infrastructure to meet new requirements. Lack of access to resources threatens the value AI can offer patients, payers and providers. Patient privacy, algorithm bias and AI model explainability and traceability are concerns not unique to ACHP members. However, the risks for ACHP member companies are higher when considered alongside the inequitable distribution of resources, access to AI technologies and hygienic data sets.

Our AI goals should be to enhance care delivery by making the most informed, appropriate decisions promptly that will achieve the best health outcomes. The thoughtful use of AI can be used to supplement clinical decision making to protect patients, ease provider burden and get to “yes” faster. AI should never replace decisions made by a clinician, but it can provide a value-add for care delivery.

To address the concerns and challenges our member companies have raised, ACHP identified three principles that policymakers should consider for the appropriate and effective oversight of AI in health care: protecting patients, the use of a common language and the necessity for public-private coordination.

Protecting Patients

The value of AI models and quality of the outputs relies on the original data; in health care that typically means personal health information. It is imperative that this data is used responsibly and patient privacy is maintained. The quality of the data itself is also vital to ensure AI is not enabling health care bias or inequities. ***ACHP supports clear guidelines for how existing security and privacy requirements apply to data being used by AI, and to ensure that data sets are clean and representative so that equity gaps and bias are mitigated.***

A Common Language

There is no consensus on definitions in AI within health care. Additionally, the distinction between predictive AI and generative AI models is not widely understood between consumers, policymakers and the health care industry. ***ACHP supports a common language for AI in health care that would eliminate any ambiguity, ensuring that all stakeholders have a shared understanding throughout the policy development process.***

Public-Private Coordination

Health care regulations governing payer lines of business, patient and consumer protections, hospitals and providers are siloed between states and federal agencies. The result is a fragmented policy landscape that is challenging to navigate. ***ACHP supports a coordinated effort, led by the appropriate federal agencies and in consultation with stakeholders, in developing national policies to establish oversight and guardrails to advance the use of AI in health care.***

These principles set the foundation for policymaking to address specific challenges of AI in health care. They are also in alignment with the Biden Administration’s AI principles to ensure AI leads to health outcomes that are fair, appropriate, valid, effective and safe. The first step should be to establish a shared and improved understanding of the technology and its uses. ACHP joined a diverse group of health care associations in partnership with the Consumer Technology Association to develop a series of briefings, outlines and resources to facilitate a common understanding of AI among policymakers and industry.



From improving decision-making, streamlining processes and enhancing care coordination and patient access, our members recognize the potential of advanced AI in health care. AI has done and can continue to alleviate health plans and providers of mundane routine tasks, freeing them up to do what they do best – delivering high-quality, coordinated care.

ACHP looks forward to working closely with you and your staff as Congress continues to gather information on AI, its current use in health care and potential use cases of advanced AI technologies. Please contact Christopher DeVore, Senior Manager of Legislative Affairs at cdevore@achp.org with any questions or if we can provide further information.

Sincerely,

Dan Jones
SVP, Federal Affairs
ACHP