2025 JUNE CCSS HS S04: Artificial Intelligence in Primary Care: From Hype to Practical Impact

Unanswered Chat Questions

1. Have malpractice lawyers got involved with filing malpractice claims against providers for implementing AI-suggested care?  Odds are regardless of implementing appropriate care, over the long run bad outcomes can still happen.

* No high-profile cases have come up yet. AI legal scholars say that the risk is certainly there, but that the burden of proof on the plaintiffs to establish negligence (duty, breach, causation, injury) is very high when it comes to current applications of AI.

1. Our concern has been that the ambient AI is not network approved and would need a separate ATO (authority to operate).  Have you run into this issue?

* Not at my institution, but every institution is different. It is important for institutions to have the necessary AI governance to adopt and implement these technologies.

1. What does a typical disclosure to patient look like when using AI in an encounter in your practice?

* Mostly verbal disclosure and consent for low risk use cases. For example, for ambient AI documentation, the clinician will ask the patient for permission to turn on the recording device and explain that it's to help them document the note, and that their conversational data will be erased by the system after the note is generated. If the patient refuses, the visit will proceed without the use of the AI scribe.