

Senate File 2415 - Introduced

SENATE FILE 2415
BY BENNETT

A BILL FOR

1 An Act relating to provider requirements concerning the mental
2 health of users of an artificial intelligence chatbot, and
3 providing civil penalties.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. NEW SECTION. **554J.1 Definitions.**

2 For purposes of this chapter:

3 1. "*Artificial intelligence chatbot*" means a software program
4 or application that uses natural language processing or similar
5 machine-learning techniques to simulate human conversation or
6 generate human-like responses to user input.

7 2. "*Mental health advice*" means a statement, recommendation,
8 or response purporting to diagnose, treat, mitigate, or address
9 emotional distress, a psychological disorder, self-harm, suicidal
10 ideation, or another mental health concern.

11 3. "*Provider*" means a person that designs, deploys, or
12 operates an artificial intelligence chatbot that is accessible to
13 users in this state.

14 Sec. 2. NEW SECTION. **554J.2 Prohibited conduct — crisis**
15 **intervention required.**

16 1. A provider shall not design or operate an artificial
17 intelligence chatbot in a manner that allows the artificial
18 intelligence chatbot to offer or simulate professional mental
19 health advice.

20 2. An artificial intelligence chatbot shall not represent
21 itself as a licensed professional or offer services that would
22 require licensure under chapter 154B or 154D.

23 3. A provider shall implement reasonable protocols to have
24 the provider's artificial intelligence chatbot detect expressions
25 of self-harm, suicidal ideation, or emotional distress by users.
26 Upon detection of such expressions, the artificial intelligence
27 chatbot shall refer the user to appropriate crisis services,
28 including but not limited to the national suicide prevention
29 lifeline, the Iowa crisis hotline, or emergency services.

30 Sec. 3. NEW SECTION. **554J.3 Required disclosures and**
31 **disclaimers.**

32 1. Each artificial intelligence chatbot accessible to a user
33 in this state shall explicitly disclose in clear, conspicuous,
34 and easily understood language that the artificial intelligence
35 chatbot is artificial intelligence, is not a human, and is not a

1 substitute for professional mental health care.

2 2. A disclosure required under this section shall appear at
3 all of the following times:

4 a. At the beginning of the artificial intelligence chatbot's
5 interaction with a user prior to providing the user with a
6 response to user input.

7 b. At regular intervals during a user's continuous
8 interaction with the artificial intelligence chatbot.

9 c. When the artificial intelligence chatbot generates a
10 response related to emotional well-being, mental health, or
11 self-harm.

12 Sec. 4. NEW SECTION. **554J.4 Enforcement and penalties.**

13 1. The attorney general shall have authority to enforce this
14 chapter.

15 2. A violation of this chapter is an unfair practice under
16 section 714.16.

17 Sec. 5. NEW SECTION. **554J.5 Limitations.**

18 This chapter shall not be construed to impose liability on an
19 educational institution or a library solely for providing access
20 to general-use software or the internet.

21 Sec. 6. NEW SECTION. **554J.6 Rulemaking authority.**

22 The department of health and human services, in consultation
23 with the chief information officer of the department of
24 management, shall adopt rules to implement this chapter. Rules
25 shall include but not be limited to all of the following:

26 1. Standards for detection protocols for self-harm, suicidal
27 ideation, and emotional distress.

28 2. Acceptable formats for providing disclosures under section
29 554J.3.

30 3. Safe use guidelines for artificial intelligence chatbot
31 technologies.

32 Sec. 7. Section 714.16, subsection 2, Code 2026, is amended
33 by adding the following new paragraph:

34 NEW PARAGRAPH. t. It is an unlawful practice for a person to
35 violate chapter 554J.

EXPLANATION

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The inclusion of this explanation does not constitute agreement with the explanation's substance by the members of the general assembly.

This bill relates to provider requirements concerning the mental health of users of an artificial intelligence chatbot (chatbot).

The bill defines "artificial intelligence chatbot" as a software program or application that uses natural language processing or similar machine-learning techniques to simulate human conversation or generate human-like responses to user input.

The bill defines "provider" as a person that designs, deploys, or operates an artificial intelligence chatbot that is accessible to users in this state.

The bill also defines "mental health advice".

The bill prohibits a provider from designing or operating a chatbot in a manner that allows the chatbot to offer or simulate professional mental health advice.

The bill prohibits a chatbot from representing itself as a licensed professional or offering services that would require licensure under Code chapter 154B (psychology) or 154D (behavioral science).

The bill requires a provider to implement reasonable protocols to have the provider's chatbot detect expressions of self-harm, suicidal ideation, or emotional distress by users. Upon detection of such expressions, the chatbot must refer the user to appropriate crisis services, including but not limited to the national suicide prevention lifeline, the Iowa crisis hotline, or emergency services.

The bill requires each chatbot accessible to a user in this state to explicitly disclose in clear, conspicuous, and easily understood language that the chatbot is artificial intelligence, is not a human, and is not a substitute for professional mental health care. Such a disclosure must appear at the beginning of the chatbot's interaction with a user prior to providing the

1 user with a response to user input; at regular intervals during
2 a user's continuous interaction with the chatbot; and when the
3 chatbot generates a response related to emotional well-being,
4 mental health, or self-harm.

5 The bill authorizes the attorney general to enforce the
6 bill. A violation of the bill is an unfair practice under
7 Code section 714.16 (consumer fraud) and is punishable by
8 injunction, disgorgement of moneys, restoration of improperly
9 acquired moneys, and a civil penalty of up to \$40,000 per
10 violation.

11 The bill shall not be construed to impose liability on an
12 educational institution or a library solely for providing access
13 to general-use software or the internet.

14 The bill requires the department of health and human services
15 (HHS), in consultation with the chief information officer of the
16 department of management, to adopt rules to implement the bill,
17 and details certain subjects HHS must adopt rules to address.

18 The bill makes a conforming change to Code section 714.16
19 (consumer frauds).