

HB 1406 - AS INTRODUCED

2026 SESSION

26-2971

05/08

HOUSE BILL **1406**

AN ACT prohibiting health carriers from using artificial intelligence to change the clinical judgment of a provider.

SPONSORS: Rep. Gregg, Hills. 7; Rep. Nagel, Belk. 6; Rep. Grossman, Rock. 11; Rep. LaMontagne, Straf. 17; Rep. M. Pearson, Rock. 34; Rep. Tellez, Hills. 40; Rep. Salvi, Hills. 9; Rep. Manohar, Hills. 9; Rep. N. Murphy, Hills. 12; Sen. Long, Dist 20; Sen. Birdsell, Dist 19; Sen. Prentiss, Dist 5

COMMITTEE: Commerce and Consumer Affairs

ANALYSIS

This bill prohibits health carriers from using artificial intelligence to change the clinical judgment of a provider.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struckthrough.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT prohibiting health carriers from using artificial intelligence to change the clinical judgment of a provider.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Section; Managed Care Law; Use of Artificial Intelligence to Change the Clinical
2 Judgment of the Provider Prohibited. Amend RSA 420-J by inserting after section 6-e the following
3 new section:

4 420-J:6-f Use of Artificial Intelligence by Health Carriers to Change Provider Codes Prohibited.
5 Health carriers are prohibited from using artificial intelligence, as defined in RSA 5-D:1, to conduct
6 audits of provider codes or to adjust such codes based on recommendations from artificial
7 intelligence that would change, alter, or amend the clinical judgment of a provider. Each carrier
8 shall maintain records identifying the use of artificial intelligence tools in claims processing and
9 make such records available to the insurance department upon audit. A violation of this section
10 shall constitute an unfair insurance practice under RSA 417, and the commissioner may impose
11 administrative fines or order restitution for any delay or denial of care resulting from such violation.

12 2 Effective Date. This act shall take effect January 1, 2027.