AI PANEL

Sponsored by MediQuant

Your **Panelists**



Kelly Wisness
Vice President of Marketing
Besler Holdings



Ravi Koganti
Chief Information Officer
Capital Health



Jason Nadal
Information Security Officer
Besler Holdings / Sypher Security



Elizabeth Litten
Partner & Chief Privacy & HIPAA Compliance Officer
Fox Rothschild



Tom Gordon
SVP & CIO
Virtua Health



Hussein Syed
SVP & CISO
RWJBarnabas Health

Case Study: Lightstar Health System Deploys AskVida

- Lightstar Health: Acute care hospital system with busy outpatient surgery.
- Deploys “AskVida": an LLM-based texting bot incorporated into its existing practice management software.
- Purpose: Confirm appointments and answer basic triage questions.



More About AskVida

- How It Works
- Rollout
- Post-Deployment
- Complaints



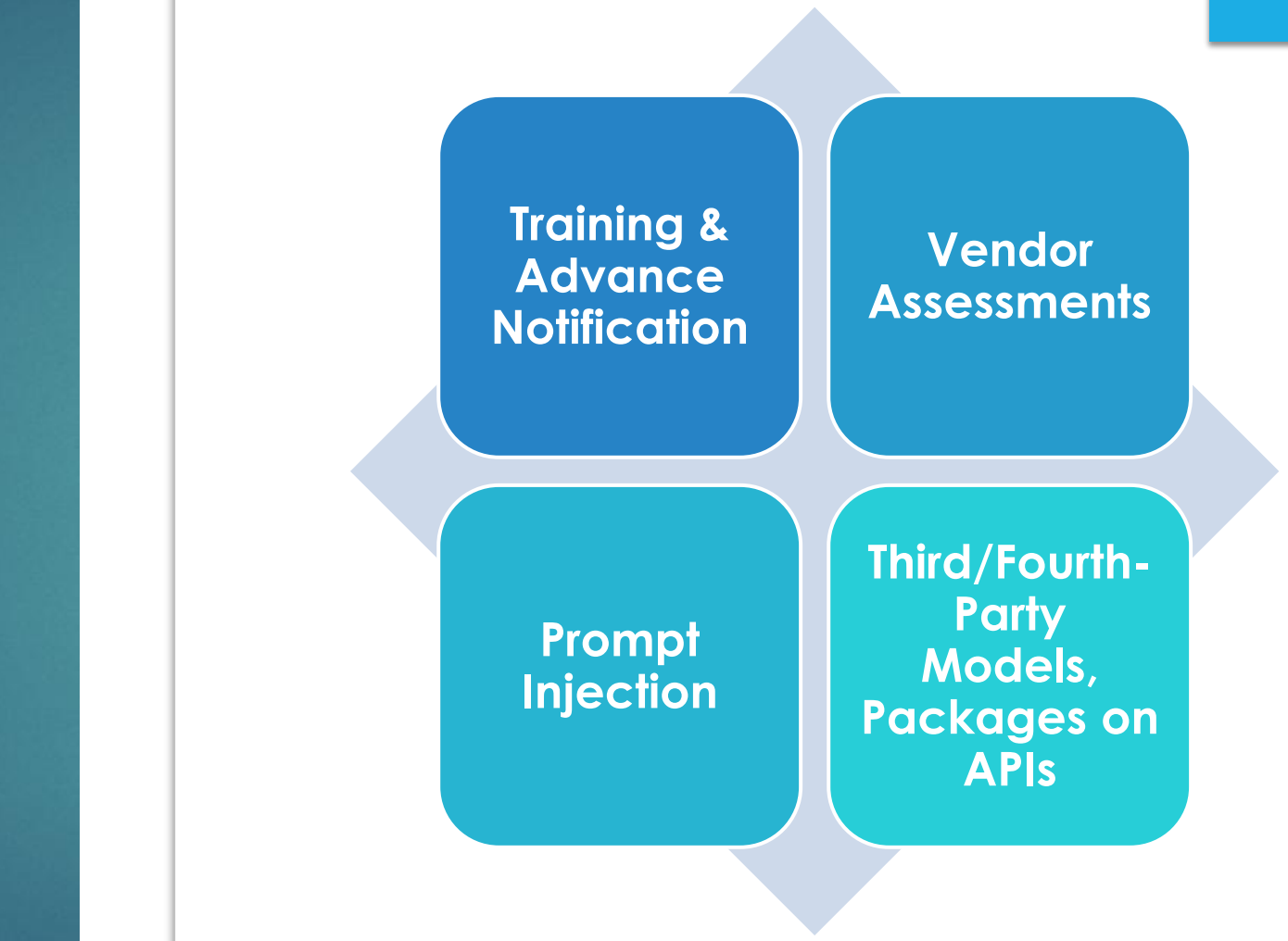


Post-Deployment: AskVida Complaints

- 12 weeks post system-wide deployment: Lightstar receives patient and staff complaints about system not logging appointments.
- CIO investigates & suspects AI incidents, recommends engagement of third-party (Sypher Security) under external counsel (Fox Rothschild) oversight.
- CISO notifies appropriate internal parties of the incident & the impact. Engage third-party & move forward.
- CEO is concerned about reputation, financial impact.
- Third-party vendor commences investigation under direction of counsel.

ISSUES

Identified Issues





Issue #1: Confirmed Appointment Never Entered in EHR



Issue #2: AskVida Provides Fever/ Pre-Surgical Clearance Advice



Issue #3: AskVida Logs Transcripts Without BAA Coverage

LESSONS LEARNED

Lessons Learned: Governance, Monitoring, and Data Ownership

- Governance, Monitoring & Data Ownership
- Pre-Acquisition Testing
- Pre-Deployment Considerations
- Post-Deployment Monitoring
- Contracting

AI Riders: Get Ahead of the Vendor

- Standard AI rider — not a routine tech contract.
- Cover use, ownership, outputs, and exit rights.
- Send your addendum early.
- Same rules for free pilots.
- Pushback is a red flag.

AI Warranties, Performance & Liability

- Standard SaaS terms do not fit healthcare AI.
- Require metrics, validation, and model cards.
- Require notice of material model changes.
- Tier caps and indemnity to clinical risk.
- Keep clinical judgment with the provider.

BAA Alignment & AI Negotiation Points

- Align the contract and the BAA.
- Spell out permitted AI use.
- No PHI for model training.
- Audit rights; no commercialization.
- Specific retention and deletion.

Practical Negotiation Checklist



No PHI for model training.



Map data flows; zero subprocessor retention.



Tier liability and indemnity to risk.



Audit rights; approve material changes.



Delete in 30 days, including derivatives.



You own inputs, outputs, and fine-tunes.

Financial Impact

- Lost and delayed revenue.
- Labor and operational costs.
- Patient experience and leakage.
- Regulatory and legal exposure from retained “learned” data.
- Reputation/PR related fallout.
- Potential HIPAA violation fines.

AI Bot Disclosure Laws

- Growing patchwork of state laws requiring AI to disclose it is not human.
- **Colorado AI Act** (eff. June 30, 2026): Deployers must disclose consumer is interacting with AI.
- **Utah SB-226** (eff. May 7, 2025): "Prominent disclosure" required for high-risk AI interactions including medical decisions.
- **California AB-489** (eff. Jan. 1, 2027): Prohibits AI from using health care professional titles.
- **Illinois HB-1806** (eff. Aug. 1, 2025): Prohibits AI-delivered therapy unless by licensed professional.
- **Texas HB-149** (eff. Jan. 1, 2026): Requires disclosure when AI is used in health care service or treatment.

Required Harm/Self-Harm Protocols

- **New York S.B. 3008** (eff. Nov. 5, 2025): AI companion operators must detect/respond to suicidal ideation; AG enforcement up to $15,000/day.
- **California SB-243** (eff. Jan. 1, 2026): Protocols for detecting/preventing suicide and self-harm; private right of action.
- **Idaho and Nebraska** (eff. July 1, 2027): Conversational AI Safety Act — crisis-response protocols; prohibition on representing AI as professional.
- **Oregon SB 1546** (April 2026): Detection/response protocols, heightened safeguards for minors, incident reporting.
- **Federal CHAT Act** (S. 2714): Would require monitoring for suicidal ideation, popup disclosures every 60 minutes, age verification.

Thank You!

Connect with us on LinkedIn



Kelly Wisness
Vice President of Marketing
Besler Holdings



Ravi Koganti
Chief Information Officer
Capital Health



Jason Nadal
Information Security Officer
Besler Holdings / Sypher Security



Elizabeth Litten
Partner & Chief Privacy & HIPAA Compliance Officer
Fox Rothschild



Tom Gordon
SVP & CIO
Virtua Health



Hussein Syed
SVP & CISO
RWJBarnabas Health