

AMENDED IN SENATE AUGUST 28, 2026
AMENDED IN SENATE AUGUST 21, 2026
AMENDED IN SENATE AUGUST 20, 2026
AMENDED IN SENATE AUGUST 13, 2026
AMENDED IN SENATE JUNE 18, 2026
AMENDED IN SENATE JUNE 11, 2026
AMENDED IN ASSEMBLY APRIL 23, 2026
AMENDED IN ASSEMBLY APRIL 9, 2026
AMENDED IN ASSEMBLY MARCH 18, 2026

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

ASSEMBLY BILL

No. 2575

Introduced by Assembly Member Ortega

February 20, 2026

An act to ~~add Chapter 25.4 (commencing with Section 22759) to Division 8 of the Business and Professions Code, to add Section 1714.48 to the Civil Code, and to add Article 2.7 (commencing with Section 2820) to Chapter 2 of Division 3 of the Labor Code, relating to health care services.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 2575, as amended, Ortega. Health care services: artificial intelligence.

~~(1) Existing law, the Medical Practice Act, establishes the Medical Board of California for the licensing, regulation, and discipline of~~

~~physicians and surgeons. Existing law requires a health facility, clinic, physician's office, or office of a group practice that uses generative artificial intelligence to generate written or verbal patient communications pertaining to patient clinical information, as defined, to ensure that those communications include both a disclaimer that indicates to the patient that a communication was generated by generative artificial intelligence, as specified, and clear instructions describing how a patient may contact a human health care provider, employee, or other appropriate person.~~

~~This bill would require a health facility, clinic, physician's office, or office of a group practice that uses or deploys a clinical decision support system, as defined, for patient care, on or before July 1, 2027, to make available, upon request from a licensed health care professional or other person using a clinical decision support system or viewing outputs from a clinical decision support system, an inventory of all clinical decision support systems currently in use or deployed for patient care. Commencing July 1, 2027, the bill would require a health facility, clinic, physician's office, or office of a group practice that uses a clinical decision support system for patient care to make specified information about the clinical decision support system, upon request from a licensed health care professional or other person using a clinical decision support system or viewing outputs from a clinical decision support system, including, among other things, a summary of how the clinical decision support system generates outputs, as specified. The bill would also require, commencing July 1, 2027, a health facility, clinic, physician's office, or office of a group practice subject to these provisions to notify a licensed health care professional or other person whose duties include using a clinical decision support system or viewing outputs from a clinical decision support system, upon being hired and annually, of their right to request the above-described information.~~

~~(2) Existing~~

~~Existing law charges the Labor Commissioner with enforcement of various labor laws, including investigation of employee complaints.~~

~~This bill would declare it is the policy of the state that a worker providing direct patient care be free to use their professional judgment to make assessments and decisions within their scope of practice as appropriate for their patients. The bill would prohibit an employer from retaliating or discriminating against a worker providing patient care, as specified. The bill would authorize a worker who is subject to retaliation or discrimination in violation of these provisions to file a complaint~~

with the Labor Commissioner against an employer. The bill would require the Labor Commissioner to enforce these provisions, as specified.

~~(3) Existing~~

Existing law provides that everyone is responsible not only for the result of their willful acts, but also for an injury occasioned to another by their want of ordinary care or skill in the management of their property or person. Existing law prohibits a defendant who developed, modified, or used artificial intelligence, as defined, from asserting a defense that the artificial intelligence autonomously caused the harm to the plaintiff.

This bill would prohibit a defendant who developed, modified, selected, or deployed a clinical decision support system that is alleged to have harmed the plaintiff from asserting a defense that the failure of a licensed health care professional or other health care worker to override an output of the clinical decision support system is a superseding cause severing the defendant's liability for the alleged harm.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Chapter 25.4 (commencing with Section 22759)~~
2 ~~is added to Division 8 of the Business and Professions Code, to~~
3 ~~read:~~
4
5 ~~CHAPTER 25.4. USE OF CLINICAL DECISION SUPPORT SYSTEMS~~
6
7 ~~22759. (a) On or before July 1, 2027, a health facility, clinic,~~
8 ~~physician's office, or office of a group practice that uses or deploys~~
9 ~~a clinical decision support system for patient care shall make~~
10 ~~available, upon request from a licensed health care professional~~
11 ~~or other person using a clinical decision support system or viewing~~
12 ~~outputs from a clinical decision support system, an inventory of~~
13 ~~all clinical decision support systems currently in use or deployed~~
14 ~~for patient care. This inventory shall be updated at least annually.~~
15 ~~(b) (1) Commencing July 1, 2027, a health facility, clinic,~~
16 ~~physician's office, or office of a group practice that uses or deploys~~
17 ~~a clinical decision support system for patient care shall make~~

1 available, upon request from a licensed health care professional
2 or other person using a clinical decision support system or viewing
3 outputs from a clinical decision support system, information about
4 the clinical decision support system. Information required by this
5 subdivision shall include all of the following:

6 (A) A summary of the clinical decision support system,
7 including developer and description of the output produced by the
8 system.

9 (B) The intended use of the clinical decision support system,
10 including intended patient population, intended users, and intended
11 role in supporting clinical decisionmaking.

12 (C) The cautioned out-of-scope use of the clinical decision
13 support system, including known risks and limitations.

14 (D) A summary of how the clinical decision support system
15 generates outputs.

16 (E) A summary of the training set or clinical research underlying
17 recommendations, including demographic representativeness and
18 known biases based on protected characteristics.

19 (F) A summary of the validation process.

20 (G) A summary of quantitative measures of performance.

21 (H) A link to the Certified Health IT Product List produced by
22 the Office of the National Coordinator for Health Information
23 Technology at the United States Department of Health and Human
24 Services or its successor.

25 (2) A health facility, clinic, physician's office, or office of a
26 group practice may satisfy its duty under paragraph (1) by making
27 available, in good faith, information supplied by the developer or
28 vendor of the clinical decision support system that is accompanied
29 by the developer's or vendor's written attestation as to the accuracy
30 of that information, unless the entity knows, or has received
31 credible notice, that a material statement is false or misleading.

32 (c) Commencing July 1, 2027, a health facility, clinic,
33 physician's office, or office of a group practice that uses or deploys
34 a clinical decision support system for patient care shall notify a
35 licensed health care professional or other person whose duties
36 include using a clinical decision support system or viewing outputs
37 from a clinical decision support system, upon hire and annually,
38 of their right to request the inventory of all clinical decision support
39 systems currently in use or deployed for patient care.

1 ~~(d) A violation of this section by a physician is subject to the~~
2 ~~jurisdiction of the Medical Board of California or the Osteopathic~~
3 ~~Medical Board of California, as appropriate.~~

4 ~~(e) For purposes of this section, the following definitions shall~~
5 ~~apply:~~

6 ~~(1) “Artificial intelligence” has the same meaning as in Section~~
7 ~~1339.75 of the Health and Safety Code.~~

8 ~~(2) (A) “Automated decision system” means a computational~~
9 ~~process derived from machine learning, statistical modeling, data~~
10 ~~analytics, or artificial intelligence that issues simplified output,~~
11 ~~including a score, classification, or recommendation, that is used~~
12 ~~to assist or replace human discretionary decisionmaking and~~
13 ~~materially impacts natural persons.~~

14 ~~(B) “Automated decision system” does not include a spam email~~
15 ~~filter, firewall, antivirus software, identity and access management~~
16 ~~tools, calculator, database, dataset, or other compilation of data.~~

17 ~~(3) “Clinic” has the same meaning as defined in Section 1200~~
18 ~~of the Health and Safety Code.~~

19 ~~(4) “Clinical decision support system” means an artificial~~
20 ~~intelligence system that produces a prediction, classification,~~
21 ~~recommendation, evaluation, or analysis that aids clinical~~
22 ~~decisionmaking related to timing of care, diagnosis or treatment.~~
23 ~~It does not include booking, canceling, and rescheduling~~
24 ~~appointments, appointment reminders, patient education and~~
25 ~~previsit materials and preparation, and payment processing, to the~~
26 ~~extent the independent performance of these activities by the~~
27 ~~system does not require a professional license.~~

28 ~~(5) “Generative artificial intelligence” has the same meaning~~
29 ~~as defined in Section 1339.75 of the Health and Safety Code.~~

30 ~~(6) “Health facility” has the same meaning as defined in Section~~
31 ~~1250 of the Health and Safety Code.~~

32 ~~(7) “Office of a group practice” has the same meaning as defined~~
33 ~~in Section 1339.75 of the Health and Safety Code.~~

34 ~~(8) “Physician’s office” has the same meaning as defined in~~
35 ~~Section 1339.75 of the Health and Safety Code.~~

36 ~~(f) This section does not apply to the use of a clinical decision~~
37 ~~support system for documentation, communication, or other~~
38 ~~administrative tasks that do not involve the application of~~
39 ~~professional judgment by a licensed health care professional;~~

1 including, but not limited to, automated messages to inform patients
2 of their health records.

3 ~~SEC. 2.~~

4 *SECTION 1.* Section 1714.48 is added to the Civil Code, to
5 read:

6 1714.48. (a) For purposes of this section, the following
7 definitions shall apply:

8 (1) “Artificial intelligence” means an engineered or
9 machine-based system that varies in its level of autonomy and that
10 can, for explicit or implicit objectives, infer from the input it
11 receives how to generate outputs that can influence physical or
12 virtual environments.

13 (2) (A) “Automated decision system” means a computational
14 process derived from machine learning, statistical modeling, data
15 analytics, or artificial intelligence that issues simplified output,
16 including a score, classification, or recommendation, that is used
17 to assist or replace human discretionary decisionmaking and
18 materially impacts natural persons.

19 (B) “Automated decision system” does not include a spam email
20 filter, firewall, antivirus software, identity and access management
21 tools, calculator, database, dataset, or other compilation of data.

22 (3) “Clinical decision support system” means an artificial
23 intelligence system that produces a prediction, classification,
24 recommendation, evaluation, or analysis that aids clinical
25 decisionmaking related to timing of care, diagnosis, or treatment.
26 It does not include booking, canceling and rescheduling
27 appointments, appointment reminders, patient education and
28 previsit materials and preparation, and payment processing, to the
29 extent the independent performance of these activities by the
30 system does not require a professional license.

31 (4) “Generative artificial intelligence” has the same meaning
32 as defined in Section 1339.75 of the Health and Safety Code.

33 (b) In an action against a defendant who developed, modified,
34 selected, or deployed a clinical decision support system that is
35 alleged to have caused harm to the plaintiff, it shall not be a
36 defense, and the defendant may not assert, that the failure of a
37 licensed health care professional or other health care worker to
38 override an output of the clinical decision support system is a
39 superseding cause severing the defendant’s liability for the alleged
40 harm.

1 (c) This section does not limit or preclude a defendant from
2 presenting either of the following:

3 (1) Any other affirmative defense, including evidence relevant
4 to causation or foreseeability.

5 (2) Other evidence relevant to the comparative fault of any other
6 person or entity.

7 (3) Evidence that the defendant took reasonable precautions to
8 prevent harm, including providing clear and conspicuous
9 disclosures and disclaimers regarding the intended use, scope,
10 known risks, and limitations of the system to the health facility,
11 clinic, physician's office, or office of a group practice.

12 (d) This section does not apply to an action described in Section
13 340.5 of the Code of Civil Procedure against a person providing
14 direct patient care who is licensed or certified pursuant to Division
15 2 (commencing with Section 500) of the Business and Professions
16 Code or licensed pursuant to the Osteopathic Initiative Act or the
17 Chiropractic Initiative Act.

18 ~~SEC. 3.~~

19 SEC. 2. Article 2.7 (commencing with Section 2820) is added
20 to Chapter 2 of Division 3 of the Labor Code, to read:

21
22 Article 2.7. Health Information Technology: Worker Rights

23
24 2820. For the purposes of this article, the following definitions
25 shall apply:

26 (a) "Artificial intelligence" means an engineered or
27 machine-based system that varies in its level of autonomy and that
28 can, for explicit or implicit objectives, infer from the input it
29 receives how to generate outputs that can influence physical or
30 virtual environments.

31 (b) (1) "Automated decision system" means a computational
32 process derived from machine learning, statistical modeling, data
33 analytics, or artificial intelligence that issues simplified output,
34 including a score, classification, or recommendation, that is used
35 to assist or replace human discretionary decisionmaking and
36 materially impacts natural persons.

37 (2) "Automated decision system" does not include a spam email
38 filter, firewall, antivirus software, identity and access management
39 tools, calculator, database, dataset, or other compilation of data.

(c) “Clinical decision support system” means an artificial intelligence system that produces a prediction, classification, recommendation, evaluation, or analysis that aids clinical decision-making related to timing of care, diagnosis or treatment. It does not include booking, canceling and rescheduling appointments, appointment reminders, patient education and pre-visit materials and preparation, and payment processing, to the extent the independent performance of these activities by the system does not require a professional license.

(d) “Generative artificial intelligence” has the same meaning as defined in Section 1339.75 of the Health and Safety Code.

2821. (a) It is the public policy of the State of California that a worker providing direct patient care be free to use their professional judgment to make assessments and decisions within their scope of practice as appropriate for their patients.

(b) (1) An employer shall not retaliate or discriminate against a worker providing direct patient care using their professional judgment to make an assessment or decision within their appropriate scope of practice based solely on the worker’s override of, or reliance on, the output of a clinical decision support system.

(2) (A) This subdivision does not affect a worker’s duty to do any of the following:

(i) Meet the applicable standard of care.

(ii) Act within their scope of practice as outlined in Division 2 (commencing with Section 500) of the Business and Professions Code.

(iii) Comply with Section 125.6 of the Business and Professions Code.

(iv) Exercise independent professional judgment in providing direct patient care.

(v) Follow standard operating procedures or other written policies established by the employer or by a California governmental department or agency.

(vi) Comply with Section 70215 of Title 22 of the California Code of Regulations.

(vii) Comply with the bylaws, rules, and regulations described in Section 70703 of Title 22 of the California Code of Regulations.

(B) A policy, procedure, or protocol that requires a worker to accept, defer to, or refrain from overriding the output of a clinical decision support system is not a duty described in this paragraph.

1 (3) (A) In enforcing this section, the Labor Commissioner shall
2 determine whether an employer retaliated or discriminated against
3 a worker in violation of paragraph (1). The Labor Commissioner
4 may consider evidence relevant to the reasons the employer took
5 the action alleged to be retaliation or discrimination, including
6 evidence supporting alternate reasons for the action, such as an
7 alleged failure by the worker to satisfy a duty described in
8 paragraph (2).

9 (B) This section does not require the Labor Commissioner to
10 adjudicate or make a final determination of whether a worker met
11 or failed to meet a duty described in paragraph (2). A determination
12 under this section is not determinative of any legal action for
13 professional negligence or malpractice or disciplinary action
14 against a professional license. This section does not limit the
15 authority of an appropriate licensing authority or a court under
16 existing law.

17 (c) A worker who is subject to retaliation or discrimination in
18 violation of this article has the right under this article to file a
19 complaint with the Labor Commissioner against an employer who
20 retaliates or discriminates against the worker.

21 (d) The Labor Commissioner shall enforce this article, including
22 investigating an alleged violation, ordering appropriate temporary
23 relief to mitigate a violation or maintain the status quo pending
24 the completion of a full investigation or hearing through the
25 procedures set forth in Section 98, 98.3, 98.7, 98.74, or 1197.1,
26 issuing a citation against an employer who violates this article,
27 and filing a civil action. If a citation is issued, the procedures for
28 issuing, contesting, and enforcing a judgment for a citation and
29 civil penalty issued by the Labor Commissioner shall be the same
30 as those set out in Section 98.74 or Section 1197.1, as applicable.