Artificial Intelligence Policy
New Mexico Medical Board
November 8, 2024

Artificial/Augmented Intelligence (AI) is a tool, or set of tools, residing on a spectrum. AI may be as simple as a spam filter on email or as complicated as a complex, algorithmic black box capable of suggesting treatment pathways for cardiac disease. AI is developing rapidly in reach, capability, and quality, and medical providers and regulators must prepare for the ubiquity of AI.

The incorporation of AI in medical practice presents tremendous benefits to patients and physicians alike. It also presents significant risk of harm to patients and practitioners if it is developed and used irresponsibly.

Regardless of who introduces AI into the practice, NMMB licensees are expected to possess basic AI literacy in order to understand the technology and how to use it, explain its capabilities and limitations, assess the quality of AI outputs, and identify and guard against bias in AI algorithms. NMMB licensees must guard against complacency and not compromise their own medical decision making by becoming overly reliant on AI.

Practitioners may consider AI as a decision-support tool that assists, but does not replace, clinical reasoning and discretion. Practitioners should understand the AI tools they are using by being knowledgeable about their design, training data used in its development, and the outputs of the tool in order to assess reliability and identify and mitigate bias. Once a practitioner chooses to use AI, they accept responsibility for responding appropriately to the AI's recommendations.

Licensees must maintain transparency with patients about the use of AI in the health care they provide.

Adherence to *traditional professional expectations for the provision of medical care* will help achieve the patient safety goals of practitioners and the New Mexico Medical Board.
The New Mexico Medical Board will continue to hold licensees responsible for the care they provide to patients and expects licensees to use technology – including AI – responsibly and ethically. The NMMB will govern the use of AI in medical practice through established ethical principles, including respect for patient autonomy, nonmaleficence, beneficence, and justice, that have served as the foundation of professional expectations and demonstrated applicability in a variety of situations, regardless of treatment modalities or technology involved.

Relevant links:

https://www.fsmb.org/siteassets/advocacy/policies/incorporation-of-ai-into-practice.pdf

https://www.ama-assn.org/system/files/2019-08/ai-2018-board-policy-summary.pdf