

Anastasia Norman
Cape Elizabeth
LD 955

Senator Bailey, Representative Mathieson, and committee members, my name is Anastasia Norman, I am a Family Medicine primary care physician in South Portland, and I am here to speak in support of LD 955, An Act to Ensure Human Oversight in Medical Insurance Payment Decisions, and LD 1301, An Act to Prohibit the Use of Artificial Intelligence in the Denial of Health Insurance Claims.

I understand that there is a need for cost consciousness within the medical system, but it is a simple fact that in complex medical systems, it is nearly impossible to make rules that apply to all cases. No two ankle fractures, no two patients with diabetes, no two cases of pancreatic cancer are alike. The human body unfortunately does not follow a clean algorithm. When a prior authorization is denied, there is always a human cost, a person whose physician felt this treatment was necessary, a patient whose care will at the very least be delayed, if not ultimately denied. In nearly every prior authorization denial I have needed to dispute, I have ultimately been successful, because I was able to make my case to a medically trained provider (a physician, NP, PA or RN) about the particular details of my patient's unique situation.

I am concerned that if a computer algorithm is allowed to make these decisions independent of any human review process, there will be no recourse in the event of a denial. In addition, insurance companies are generally for-profit companies, and beholden to their shareholders. With such a profit motive attached, what type of AI tools will they create? There is a bias inherent in the programming of these models, and probably little opportunity for oversight of such systems.

Putting law in place which requires a medically trained human point of contact in the event of a denial would add a layer of protection for patients, and reasonable recourse in the event of a denial.

Thank you very much for your time and attention. I'd be happy to discuss further if there are questions.