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UC LEGAL AI TASK FORCE: LEGAL EXPERTISE

UC Legal has collected these resources to assist in navigating legal issues related to the use of artificial intelligence (AI). The resources are arranged by area of law (e.g., privacy, copyright, discrimination) and by government agency (e.g., HHS, Department of Education). Some resources that might not strictly apply to UC are included for their value in guiding UC thinking in this highly dynamic area. Generally speaking, when using these resources, please:

- Keep in mind the general principle that UC ought not use AI to do anything that UC is prohibited from doing without AI (e.g., UC is prohibited from discriminating on the basis of race or religion, using AI or not).
- Note that everything about AI – AI technology itself, as well as legal rules, best practices and guidance relating to the use of AI – is changing rapidly and will continue to do so. You should verify independently that any guidance upon which you rely is that latest version.
- Before using AI, consider using the UC AI Risk Assessment Guide and consult with counsel either in the Office of the General Counsel or at your UC location as appropriate.
- Note that this resource is current as of April 10, 2025, and users should check for updates.

List of Practice Areas & UC Activities

Possible Area of Law Implicated	Possible UC Activity(ies) Implicated	Links to Relevant Legislation/Regulations/Guidance/Cases
Discrimination/Bias	<ul style="list-style-type: none"> • Admissions (outreach/recruitment, decisions) • Employment • Employee Benefits • Health Insurance • Housing • Disability • Financial Aid 	<p>Artificial Intelligence and Algorithmic Fairness Initiative, previously published by the EEOC in 2021, has been deleted and is now archived here: https://web.archive.org/web/20241223203410/https://www.eeoc.gov/ai</p> <p>The Americans with Disabilities Act and the Use of Software, Algorithms, and Artificial Intelligence to Assess Job Applicants and Employees, guidance issued by the EEOC on May 12, 2022, has been deleted and is now archived here: https://web.archive.org/web/20241227070243/https://www.eeoc.gov/laws/guidance/americans-</p>

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		<p>disabilities-act-and-use-software-algorithms-and-artificial-intelligence</p> <p>Select Issues: Assessing Adverse Impact in Software, Algorithms, and Artificial Intelligence Used in Employment Selection Procedures Under Title VII of the Civil Rights Act of 1964, a technical assistance document issued by the EEOC on May 18, 2023, has been deleted and is now archived here:</p> <p>https://web.archive.org/web/20241224163809/https://www.eeoc.gov/laws/guidance/select-issues-assessing-adverse-impact-software-algorithms-and-artificial</p> <p>AI & Inclusive Hiring Frameworks – Peatworks (Partnership on Employment and Accessible Technology – funded by Department of Labor)</p> <p>Original website has been deleted, Word document available here: PEAT AI and Inclusive Hiring Framework v24-Sept-2024-ODT.odt</p> <p>Artificial Intelligence and Worker Well-Being Principles and Best Practices for Developers and Employers, published by the U.S. Department of Labor, deleted but archived version is available here:</p> <p>https://web.archive.org/web/20250205182942/https://www.dol.gov/sites/dolgov/files/general/ai/AI-Principles-Best-Practices.pdf</p>

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		<p>Employment – New York City: New York City Local Law 144 of 2021: prohibits employers from using automated decision tools unless there is a bias audit and provide notices to candidates.</p> <p>Employment – Illinois: Illinois, Artificial Intelligence Video Interview Act, 820 IL 42/1, requires employers to disclose the use of AI to analyze video interviews, provide other information, and obtain consent.</p> <p>Employment – Maryland: Maryland, HB 1202, prohibits employers from using facial recognition tools during interviews unless the candidate consents.</p> <p>Health insurance, CA: SB 1120 (2024) requires physicians to make final decisions on and provide oversight re: unitization review decisions by a health plan’s AI tools/ algorithms. Effective 1/1/2025</p> <p>Employment, CA: New regulations may go into effect July 1, 2025, but additional approvals are needed: Microsoft Word - CRD - Automated Decision System Regs - Final Unmodified Text</p> <p>Employment, CA: SB 7 Employment: automated decision systems (McNerney) –(Amended 3/5/25) outlines employer obligations when using automated decision systems in the employment context (e.g. pre-use notice, employer requirements, post-use notice).</p> <p>Health insurance, MA: H.1210 AI Health Communications and Informed Patient Consent</p>

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		<p>(2025: introduced) - amend state health insurance consumer protection law to require healthcare insurance carriers to disclose the use of AI or ADMT for reviewing insurance claims and report AI and training data info to MA Division of Insurance.</p> <p>Health insurance, IL: HB 5918 - AI Systems Use in Health Insurance Act (1/7/25: failed to move before close of legislative session)</p> <p>Insurance: WI: Bulletin on the Use of AI Systems in Insurance by Insurance Commission</p> <p>Bias: ADL, ““Generating Hate: anti-Jewish and anti-Israel bias in leading large language models” https://www.adl.org/resources/report/generating-hate-anti-jewish-and-anti-israel-bias-leading-large-language-models?utm_campaign=2025-03-26+Daily+Kickoff&utm_content=2025-03-26+Daily+Kickoff&utm_medium=email_action&utm_source=customer.io</p>
Contract	<ul style="list-style-type: none"> • Business transactions • Real Estate transactions • Procurement • Due Diligence/Contract Review 	<p>John Linarelli. Artificial Intelligence and Contract Formation: Back to Contract as Bargain? Forthcoming in Stacy-Ann Elvy & Nancy Kim, Emerging Issues at the Intersection of Commercial Law and Technology (Cambridge University Press 2023). Abena Opong-Fosu. Analysis: Most M&A Attorneys Would Use AI for Due Diligence. Bloomberg Law. December 1, 2023. Donald G. Shelkey, Morgan Lewis. Current Legal Issues with AI: Due Diligence. October 9, 2023. Colin Levy. How and When to Use Gen AI for Reviewing and</p>

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		Drafting Contract Clauses . Contract Nerds. January 2, 2025.
Privacy	<ul style="list-style-type: none"> • Clinical Health Care • Student Records • Public Records/IPA • Financial Records • Advancement (donor records) • Employment Records • Employment Actions (processing disability/leave requests) • Research 	<p>California Privacy Rights Act:</p> <p>The CPRA, which generally does not apply to UC, applies to personal information that may be processed by AI systems “that are capable of outputting personal information.” (AB 1008) The statute calls upon the California Privacy Protection Agency (CPPA) to issue regulations related to “automated decision-making technology” (ADMT). In November 2024, CPPA issued proposed rules relating to ADMT and in April 2025, in response to public feedback, CCPA modified some of their proposals. Cal. Civ. Code §§ 1798.140 (definitions) (1798.185(a)(16)) (issuing regulations relating to ADMT).</p> <p>General Data Protection Regulation: Art. 22 GDPR; Recital 71. In December 2024, the European Data Protection Board (EDPB) adopted on opinion on the use of personal data for the development and deployment of AI models.</p> <p>Under the GDPR, individuals living in the European Economic Area have the right not to be subject to a decision based solely on automated processing. At present, the GDPR applies to University activities only if they are offered to people living in the EU.</p>
Data Security	<ul style="list-style-type: none"> • Research • Health care • Information Technology • HR Records (UC Path and RASC) 	NIST, Adversarial Machine Learning: A Taxonomy and Terminology of Attacks and Mitigations (NIST.AI.100-2)

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	<ul style="list-style-type: none"> • Education Records • Chatbots on UC websites • Procurement 	
Due Process	<ul style="list-style-type: none"> • Student Conduct • Employment Law • Unlawful Search and Seizure 	<p>Lars Daniel, FORBES: “Judge Throws Out Facial Recognition Evidence In Murder Case” (Clearview AI)</p> <p>Kevin Williams, CNBC: “How Trump’s mass deportation plan can use AI to extend immigration crackdown”</p> <p>Cary Coglianese. How a lawsuit about pencils can protect rights in the AI era. The Hill (August 11, 2023).</p> <p>Chris Chambers Goodman, AI, Can You Hear Me? Promoting Procedural Due Process in Government Use of Artificial Intelligence Technologies, 28 RICH. J.L. & TECH. 700 (2022).</p> <p>Pasquale F. Inalienable Due Process in an Age of AI: Limiting the Contractual Creep toward Automated Adjudication. <i>Constitutional Challenges in the Algorithmic Society</i>. Cambridge University Press; 2021:42-56.</p> <p>Inaccurate allegations that students used AI to cheat: Davis (https://www.usatoday.com/story/news/education/2023/04/12/how-ai-detection-tool-spawned-false-cheating-case-uc-davis/11600777002/) and Yale (https://www.crowell.com/en/insights/client-alerts/ivy-league-lawsuit-centers-on-alleged-impermissible-use-of-ai-in-academia)</p>

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Intellectual Property – Copyright	Copyright, including: <ul style="list-style-type: none"> ● Copyrightability and authorship ● Registrability ● LLM input/ingestion (infringement / fair use?) ● Output of AI tools (infringement / substantial similarity / infringing derivative works) ● Fair use ● Removal of “copyright management information” (CMI) as a potential violation of Section 1202 of DMCA 	USCO AI portal USCO AI Study USCO Copyright Registration Guidance AI copyright litigation tracker
Intellectual Property – Trademark	<ul style="list-style-type: none"> ● Trademark 	USPTO Report, “ Public Views on Artificial Intelligence and Intellectual Property Policy ” (October 2020) USPTO Artificial Intelligence and Emerging Technologies Partnership .
Intellectual Property – Patents	<ul style="list-style-type: none"> ● Patents 	USPTO AI-related resources Executive Order on the Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence, 10/30/23 (EO 14110) [<i>rescinded on 1/20/25</i>]
Finance/Investment	<ul style="list-style-type: none"> ● Insurance (pricing, decisions to try/settle) ● Employee Fidelity investment choices? 	Brian Joseph, AI in Insurance: The Good, the Bad and What Worries Regulators . State Net Capitol Journal. December 11, 2023. New York State, Department of Financial Services. Proposed Insurance Circular Letter Re: Use of Artificial Intelligence Systems and External Consumer Data

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		<p>and Information Sources in Insurance Underwriting and Pricing. January 16, 2024. Joshua Dupuy, Legal transparency in AI finance: facing the accountability dilemma in digital decision-making. Westlaw Today. March 1, 2024.</p>
Criminal	<ul style="list-style-type: none"> • Stalking/Harassment • Threat/Risk Assessment 	<p>Cyber Stalking (generally): CA Penal Code 646.9</p> <p>Electronic Harassment (generally): CA Penal Code 653.2</p> <p>U.S. Department of Justice Signals Tougher Enforcement Against Artificial Intelligence Crimes (Public remarks: here and here).</p>
Ethics/Professional Responsibility	<ul style="list-style-type: none"> • Licensure (medical, legal) • Professional malpractice (medical, legal) 	<p>California State Bar Committee on Professional Responsibility and Conduct “Practical Guidance For the Use of GenAI in the Practice of Law”</p> <p>American Bar Association Standing Committee on Ethics and Professional Responsibility “Formal Opinion 512”</p> <p>American Bar Association Task Force on Law and Artificial Intelligence</p> <p>ALM has several AI-related California CLE courses, via Law.com, many of which touch upon ethical considerations</p> <p>May 19th – 20th, 2025. ABA Virtual Conference: “AI and the Practice of Law Summit” (Sadly, will not confer CLE credits)</p>

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		<p>American Medical Association “Principles for Augmented Intelligence Development, Deployment, and Use”</p> <p>[Note: AMA and other medical associations and groups use the term augmented intelligence vs artificial intelligence to indicate that it is still the physician who is practicing medicine and ultimately making the final decision on patient care and treatment.]</p> <p>Potential issue: does AI owe a duty of care to the patient? “AI’s Limitations in Law: A Federal Complaint Underscores Challenges in Legal Drafting” in <i>Legal News Feed</i> (January 6, 2025).</p> <p>Medical Licensing, AB 489: Healthcare professions: deceptive terms or letters: AI (Bonta; 2025-2026) – prohibits and enforceable against an entity who develops or deploys AI tech that uses specific terms, letters, or phrases to falsely indicate or imply possession of a license or certificate to practice a healthcare profession.</p>
Research	<ul style="list-style-type: none"> Human subjects research 	<p>It is likely that SACHRP has been disbanded. SACHRP was scheduled to meet in March 2025, but that meeting was canceled, and the SACHRP website shows no upcoming meetings.</p> <p>U.S. Health and Human Services (HHS) Secretary’s Advisory Committee on Human Research Protections (SACHRP) provides expert guidance on issues and topics pertaining to or associated with the protection of human research subjects.</p>

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		<p>In October 2022, SACHRP answered 10 questions regarding IRB Considerations on the Use of Artificial Intelligence in Human Subjects Research.</p> <p>OHRP Exploratory Workshop on Human Research with AI, September 2024</p>

List of Legislation and Guidance (Enacted and Pending) – To Extent Not Noted Above

Issuing Agency (California or Federal)	Regulations	Resources and Guidance
White House		<p>Executive Order 14179. Removing Barriers to American Leadership in Artificial Intelligence. January 23, 2025.</p> <p>“U.S. President-elect Donald Trump on Thursday said he was appointing former PayPal Chief Operating Officer David Sacks as his "White House A.I. & Crypto Czar," another step towards overhauling U.S. policy.”</p> <p>White House. National Security Memorandum on Artificial Intelligence. October 24, 2024. [removed]</p> <p>Office of Science and Technology Policy. Blueprint for an AI Bill of Rights. October 2022. [removed]</p>
U.S. Senate/Congress Proposed Legislation	<p>2025-2026 Session (pending bills):</p> <p>HR 193 (Schweikert, R-AZ) –Direct HHS to issue guidance on payment under Medicare program for</p>	<p>A Roadmap for Artificial Intelligence Policy in the U.S. Senate</p> <p>Bipartisan House Task Force Report on AI (Dec. 2024)</p>

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	<p>certain items involving AI (1/3/2025: referred to Committee on Energy and Commerce)</p> <p>HR 238: Health Technology Act of 2025 (Schweikert, R-AZ) -amend the FDCA to clarify that AI and ML technologies can qualify as a practitioner eligible to prescribe drugs if authorized by the State involved and approved, cleared, or authorized by the FDA (1/7/2025: referred to Committee on Energy and Commerce)</p> <p>S.1085 (Rounds, R-SD) - Require Secretary of HHS to implement a pandemic preparedness and response program using AI (3/14/2025: referred to Committee on Health, Education, Labor and Pensions; no text available)</p> <p>S.1110 (Husted, R-OH) -leveraging AI to streamline the Code of Federal Regulations Act (3/25/2025: referred to Committee on Homeland Security and Governmental Affairs)</p> <p>S.1269 (Blackburn, R-TN) -promote US leadership in technical standards by directing NIST and Dept of State to take certain actions to encourage and enable US participation in developing standards and specifications for AI and other critical and emerging technologies (4/2/2025: referred to Committee on Commerce, Science, and Transportation)</p>	<p>Generative AI: Overview, Issues, and Considerations for Congress (April 2, 2025) -Congressional Research Service report to Congress</p> <p>House Committee on Energy and Commerce held Hearing on AI and American Global Competitiveness</p>
U.S. Department of Education	General nondiscrimination civil rights statutes apply to analysis of use of AI.	<p>Office of Educational Technology. Artificial Intelligence (AI) and the Future of Teaching and Learning: Insights and Recommendations. May 24, 2023.</p> <p>Office of Educational Technology. Handout: AI and the Future of Teaching and Learning. (Accessed May 30, 2024).</p>

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Issuing Agency (California or Federal)	Regulations	Resources and Guidance
		<p>Office of Educational Technology. Designing for Education with Artificial Intelligence: An Essential Guide for Developers. July 2024. [removed]</p> <p>Office of Educational Technology. Empowering Education Leaders: A Toolkit for Safe, Ethical, and Equitable AI Integration. October 2024. Toolkit for K-12 educators and administrators on implementing AI and mitigating the risks of AI. [removed]</p>
U.S. Federal Trade Commission	<p>16 C.F.R. Part 465: Trade Regulation Rule on the Use of Consumer Reviews and Testimonials (effective October 21, 2024).</p> <p>16 C.F.R. Part 461: Trade Regulation Rule on Impersonation of Government and Businesses (effective April 1, 2024).</p>	<p>FTC Chairman Andrew Ferguson and Commissioner Melissa Holyoak have publicly commented that FTC should “not charge headlong to regulate AI” potentially signaling less FTC enforcement of AI tools. Concurring and Dissenting Statement of Commissioner Ferguson. January 17, 2025.</p> <p>FTC. AI and the Risk of Consumer Harm. January 3, 2025.</p> <p>FTC. FTC Announces Crackdown on Deceptive AI Claims and Schemes. September 25, 2024.</p> <p>FTC. FTC Submits Comments to FCC on Work to Protect Consumers from Potential Harmful Effects of AI. July 31, 2024.</p> <p>FTC. FTC Issues Orders to Eight Companies Seeking Information on Surveillance Pricing. July 23, 2024.</p> <p>FTC. FTC Launches Inquiry into Generative AI Investments and Partnerships. January 25, 2024.</p>
U.S. Department of Health and Human Services	<p>HHS AI guidance has been removed (links to both the AI Strategic Plan and the high-level overview are no longer active): On 1/10/25, HHS issued an AI Strategic Plan that establishes both the strategic framework and the operational roadmap for responsibly leveraging</p>	<p>HHS’ overall AI Strategy is shaped by the Office of the Chief Artificial Intelligence Officer (OCAIO), which sets forth an approach and focus areas intended to encourage AI adoption; enable HHS-wide familiarity, comfort, and fluency with artificial intelligence (AI) technology and its potential;</p>

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	<p>emerging technologies to enhance HHS's core mission, while maintaining the Agency's commitment to safety, effectiveness, equity, and access. The Plan has 4 key goals: (1) Catalyze health AI innovation and adoption to unlock new ways to use AI to improve people's lives; (2) Promote trustworthy AI development and ethical and responsible use to avoid potential harm; (3) Democratize AI technologies and resources to promote equitable access for all; and (4) Cultivate AI-empowered workforces and organizational cultures to allow staff to make the best use of AI. [HHS also developed a high-level overview of the AI Strategic Plan.]</p> <p>HHS' proposed changes to the HIPAA Security Rule (proposed rule released 1/6/25) include implications for AI: healthcare organizations must conduct risk assessments of the cybersecurity threats of new AI tools (including considerations of factors including the type and amount of ePHI access by the AI tool, to whom the data is disclosed, and to whom the output is provided). As AI evolves, a regulated entity should conduct risk assessments to consider the effects of such changes on the confidentiality, integrity, and availability of ePHI. Additionally, regulated entities must develop written inventories of their technology assets (including AI software).</p> <p>HHS imposes transparency requirements on developers of certified health information technology regarding predictive decision support interventions (generally understood to be AI). Office of National Coordinator for Health Information Technology. Health Data, Technology, and Interoperability: Certification Program Updates, Algorithm Transparency, and</p>	<p>promote AI scaling with the application of best practices and lessons learned from piloting and implementing AI capabilities to additional domains and use cases across HHS; and spark AI acceleration by increasing the speed at which HHS adopts and scales AI and ML.</p> <p>HHS has outlined an approach to prioritize the application and development of AI across various HHS mission areas. HHS' AI website now only lists two sections: resources (link broken) and AI Use Cases Inventory. No general approaches are discussed.</p> <p>Removed:</p> <ul style="list-style-type: none"> • <i>[Links back to general barebones HHS AI site]</i> U.S. Dep't of Health & Human Services. "HHS Artificial Intelligence (AI) Strategy." (accessed March 11, 2024). • <i>[Page not found]</i> HHS Trustworthy AI Playbook. Sept. 2021. • <i>[Page not found]</i> HHS' Compliance Plan for OMB Memorandum M-24-10 (Advancing Governance, Innovation, and Risk Management for Agency Use of Artificial Intelligence): Sept. 2024 Compliance Plan <p>Now "archived HHS content":</p> <ul style="list-style-type: none"> • HHS reorganizes to streamline and bolster technology, cybersecurity, data, and AI strategy and policy functions (July 25, 2024) • HHS. Guiding Principles Help Healthcare Community Address Potential Bias Resulting from Algorithms News Release. December 15, 2023.

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	<p>Information Sharing. 89 Fed. Reg. 1192 (January 9, 2024).</p>	<p>Chin, M. et al. Guiding Principles to Address the Impact of Algorithm Bias on Racial and Ethnic Disparities in Health and Health Care. JAMA Network Open. 2023; 6(12):e2345050.doi:10.1001/jamanetworkopen.2023.45050</p>
<p>U.S. Centers for Medicare and Medicaid Services</p>	<p><u>Proposed Rule (12/10/24)</u>: given the growing use of AI in health care and to combat “algorithmic discrimination,” CMS proposed mandatory guardrails for Medicare Advantage plans when using AI to manage patient care: equitable use of AI; new or clarified definitions for automated systems, AI, and patient care decision support tools; continued application of antidiscrimination provisions to AI tools; and public disclosure and transparency in application of utilization management measures. (Note: no direct application to the Medicare Part D prescription drug program). Medicare and Medicaid Programs; Contract Year 2026 Policy and Technical Changes to the Medicare Advantage Program, Medicare Prescription Drug Benefit Program, Medicare Cost Plan Program, and Programs of All-Inclusive Care for the Elderly</p> <p><u>Final Rule (2023)</u>: Medicare Advantage Organizations (MAOs) must make medical necessity determinations based on the circumstances of specific individuals, as opposed to relying on an algorithm or software that does not consider individual circumstances. CMS. Medicare Program; Contract Year 2024 Policy and Technical Changes to the Medicare Advantage Program, Medicare Prescription Drug Benefit Program, Medicare Cost Plan Program, and Programs of All-</p>	<p>CMS’s AI Resource Webpage Artificial Intelligence at CMS. Now includes a link to Executive Order Executive Order 14179: Removing Barriers to American Leadership in Artificial Intelligence.</p> <p>Removed: CMS. CMS AI Playbook. Updated May 15, 2024.</p> <p>CMS holds quarterly CMS AI Demo Days starting Oct. 2024 in which health care providers and companies give 15 min demonstrations to the agency of their AI products and services (for info and planning purposes, may be made public). CMS sent out an initial ROI in Sept. 2024 to solicit submissions.</p>

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	<p>Inclusive Care for the Elderly Final Rule. 88 Fed. Reg. 22120, 22195 (April 12, 2023). (& Correcting Amendment, Aug. 1, 2023)</p> <p>CMS Guidance clarifying the Final Rule (FAQ #2 addresses AI). Feb. 6, 2024.</p>	
U.S. Copyright Office		U.S. Copyright office AI resource page
U.S. Patent and Trademark Office		<p>USPTO. Memorandum: The Applicability of Existing Regulations as to Party and Practitioner Misconduct Related to the Use of Artificial Intelligence. February 6, 2024.</p> <p>USPTO AI resource page which includes a link to the 2024 Inventorship Guidance on AI-Assisted Inventions</p>
U.S. Equal Employment Opportunity Commission		EEOC AI resources
Executive Office of the President/U.S. Office of Management and Budget	<p>Executive Office of the President. Executive Order on the Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence. October 30, 2023. (EO 44110). [rescinded on 01/23/25]</p>	<p>Executive Office of the President, Office of Management and Budget. Memorandum: Accelerating Federal Use of AI through Innovation, Governance, and Public Trust. April 3, 2025.</p> <p>Executive Office of the President, Office of Management and Budget. Memorandum: Advancing Governance, Innovation, and Risk Management for Agency Use of Artificial Intelligence. March 28, 2024. [rescinded on 04/03/25]</p>

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		<p>Executive Office of the President, Office of Management and Budget. Memorandum: Driving Efficient Acquisition of Artificial Intelligence in Government. April 3, 2025.</p> <p>Executive Office of the President, Office of Management and Budget. Memorandum: Advancing the Responsible Acquisition of Artificial Intelligence in Government. September 24, 2024. [rescinded on 04/03/25].</p>
U.S. Department of Defense	<p>Pending bill: S.4638 - National Defense Authorization Act for Fiscal Year 2025 (proposes to create a Chief Digital and Artificial Intelligence Officer of the DoD (CDAO); AI use pilot programs; AI procurement; multilateral AI working group)</p>	<p>Department of Defense. Hicks Highlights DOD’s Commitment to Responsible AI Use. October 29, 2024.</p> <p>Department of Defense, Chief Digital & Artificial Intelligence Office. Responsible AI Toolkit. November 14, 2023.</p> <p>Department of Defense. AI Ethical Principles. February 24, 2020.</p>
U.S. Food and Drug Administration	<p>FDA Draft Guidance Document: “Artificial Intelligence Enabled Device Software Functions: Lifecycle Management and Marketing Submission Recommendations” (issued 1/7/25)</p> <p>.</p> <p>FDA Draft Guidance Document: “Considerations for the Use of Artificial Intelligence To Support Regulatory Decision-Making for Drug and Biological Products” (issued 1/7/25)</p>	<p>The Identifying and Measuring Artificial Intelligence (AI) Bias for Enhancing Health Equity webpage was restored but now has the following disclaimer: "Per a court order, HHS is required to restore this website as of 11:59 PM on February 14, 2025. Any information on this page promoting gender ideology is extremely inaccurate and disconnected from the immutable biological reality that there are two sexes, male and female. The Trump Administration rejects gender ideology and condemns the harms it causes to children, by promoting their chemical and surgical mutilation, and to women, by depriving them of their dignity, safety, well-being, and opportunities. This page does not reflect biological reality and therefore the Administration and this Department reject it."</p> <p>FDA. Artificial Intelligence and Machine Learning (AI/ML) Enabled Devices (updated Aug, 7, 2024).</p>

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		<p>FDA. Artificial Intelligence and Machine Learning in Software as a Medical Device (updated Dec. 12, 2024).</p> <p>FDA. Artificial Intelligence for Drug Development (updated Oct. 31, 2024).</p> <p>FDA. Artificial Intelligence and Medical Products: How CBER, CDER, CDRH, and OCP are Working Together. March 15, 2024.</p>
National Institute of Standards and Technology		<p>NIST AI Risk Management Framework (AI RMF)</p> <p>NIST Trustworthy & Responsible Artificial Intelligence Resource Center: https://airc.nist.gov/Home</p>
Various federal agencies		<p>JOINT STATEMENT ON ENFORCEMENT OF CIVIL RIGHTS, FAIR COMPETITION, CONSUMER PROTECTION, AND EQUAL OPPORTUNITY LAWS IN AUTOMATED SYSTEMS (del.gov) issued 4/4/24</p> <p>Joint Statement on Competition in Generative AI Foundation Models and AI Products, issued 7/23/24</p>
California Governor’s Office	Executive Department, State of California. Executive Order N-12-23 . September 6, 2023.	<p>California strengthens its position as the global AI leader with new working report issued by experts and academics (March 18, 2025) -working report on the effects and impact of AI</p> <p>CA state launched website focused on the GenAI work happening across state government, including projects at CalHHS, CDPH, and CalTrans : https://www.genai.ca.gov/</p> <p>State of California Guidelines for Evaluating Impacts of Generative AI on Vulnerable and Marginalized Communities (Dec. 2024)</p>

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		California, NVIDIA launch first-of-its-kind AI collaboration (August 2024)
California Civil Rights Council	Civil Rights Council. Proposed Regulations to Protect Against Employment Discrimination in Automated Decision-Making Systems . May 17, 2024; Civil Rights Council. Proposed Modifications to Employment Regulations Regarding Automated-Decision Systems Initial Statement of Reasons . May 17, 2024.	
California State Bar		The State Bar of California Standing Committee on Professional Responsibility and Conduct. Practical Guidance for the Use of Generative Artificial Intelligence in the Practice of Law (accessed May 30, 2024)
California Medical Board, Registered Nursing	<p>SB 1120 (Becker, sponsored by CA Medical Assn.) requires physicians to make final decisions on and provide oversight re: unitization review decisions by a health plan’s AI tools/ algorithms. Chaptered 9/28/24.</p> <p>The Medical Board took a support position on AB 3030 (disclosure of GenAI use re: patient communications). Chaptered 9/28/24.</p> <p>CMA announced its sponsored bill package on 4/1/25, which includes AB 489 (Bonta). That bill would ban companies from marketing AI chatbots as licensed medical professionals and would prohibit the use by AI of certain terms, letters, or phrases that would imply that the advice/care provided through AI is being provided by a natural person with the appropriate licensure.</p>	<p>The Federation of State Medical Boards published guidance on the ethical use of AI (April 2024)</p> <p>Professional associations also have AI guidance/policies:</p> <ul style="list-style-type: none"> American Medical Association: Nov. 14, 2023 principles/policy, central webpage (updated 4/1/25) Nursing: American Nurses Association position statement (effective ‘22); National Nurses United (union) and California Nurses Association have raised concerns about AI threatening patient safety (NNU’s patient bill of rights here) American Counseling Association AI Work Group Recommendations & press release
California Attorney General		Attorney General Bonta Issues Legal Advisories on the Application of California Law to AI State of California -

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Issuing Agency (California or Federal)	Regulations	Resources and Guidance
		<p>Department of Justice - Office of the Attorney General (1/13/25)</p> <p>Legal Advisory - Application of Existing CA Laws to Artificial Intelligence.pdf (1/13/25)</p> <p>Final Legal Advisory - Application of Existing CA Laws to Artificial Intelligence in Healthcare.pdf (1/13/25)</p>
States Other Than California	<p>Passed:</p> <p>Colorado Artificial Intelligence Act</p> <p>Utah AI Policy Act (effective May 1, 2024)</p> <p>NY Legislative Oversight of Automated Decision-making in Government (or LOADinG) Act (SB7543/A9430) (immediate effect signed Dec. 21, 2024; 1 year delay of section 2)</p> <p>Utah AI Consumer Protection Amendment (Effective upon Governor’s approval)</p> <p>Arkansas: Amendment to the Publicity Rights Protection Act to include AI generated likeness and voice (in effect)</p> <p>2025-2026 Legislative Session (pending bills):</p> <p>IL: HB 5918 - AI Systems Use in Health Insurance Act (1/4/25: just filed)</p> <p>TX: HB 1709 -Texas Responsible AI Governance Act (TRAIGA)</p>	<p>National Conference of State Legislatures. Summary Artificial Intelligence 2024 Legislation (June 3, 2024).</p> <p>Husch Blackwell State AI Legislation Tracker (2024)</p> <p>Husch Blackwell State AI Legislation Tracker (Dec. 30, 2024)</p> <p>IAPP AI Governance Legislative Tracker (2024)</p> <p>Future of Privacy Forum: US State AI Legislation Trend Report (2024)</p> <p>Dec. 30, 2024 State AI Update</p> <p>Illinois Supreme Court Policy on Artificial Intelligence (effective January 1, 2025)</p>

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	<p>Virginia High-Risk AI Developer and Deployer Act (HB 2094) vetoed by Governor Youngkin on March 24, 2025</p> <p>For complete list see tracker.</p>	
Europe/International	European Union. Artificial Intelligence Act . June 13, 2024.	IAPP. Global AI Law and Policy Tracker (updated November 2024).
California	<p><u>2023-2024 Legislative Session:</u></p> <p>AB 2013 (generative AI training data transparency); AB 2885 (definition of AI); SB 942 (California Transparency Act); AB 2602 (digital replicas); AB 3030 (requires specified health care providers to disclose the use of GenAI when used to generate communications to a patient pertaining to patient clinical information);</p> <p>SB 1120 (establishes requirements on health plans and insurers applicable to their use AI for utilization review and utilization management decisions, including that the use of AI, algorithm, or other software must be based upon a patient’s medical or other clinical history and individual clinical circumstances as presented by the requesting provider and not supplant health care provider decision making).</p> <p><u>2025-2026 (pending bills):</u></p> <p>SB 7 Employment: automated decision systems (McNerney) –(Amended 3/5/25) outlines employer obligations when using automated decision systems in</p>	<p>SB 53 CalCompute: foundation models: whistleblowers (Wiener) Re-introduced a portion of SB 1047</p> <p>Gov. Newsom vetoed SB 1047</p> <p>Note: 2025-2026 Legislative deadline</p> <p>Jan. 24: last day to submit bill requests to Office of Legislative Counsel</p> <p>Feb. 21: Last day to introduce bills.</p>

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	<p>the employment context (e.g., pre-use notice, employer requirements, post-use notice).</p> <p>SB 11 Artificial intelligence technology (Ashby) -use of AI to create synthetic voice or content.</p> <p>SB 366 Employment: AI (Smallwood-Cueva) – DGS contract with UCLA Labor Center to conduct study to evaluate impact of AI on worker well-being, job quality, job types, different populations, and state revenues.</p> <p>AB 410 Bots: disclosure (Wilson) –require bots to disclose to a person they are not interacting with a human, answer truthfully if asked if it is a bot or a human, and not mislead a person about its identity as a bot.</p> <p>AB 566 CPPA OOPS (Lowenthal) – re-introduced global opt-out preference signal for browsers and mobile operating system (passed Legislature last year but vetoed by Governor).</p> <p>AB 1355 Location Privacy (Ward) -restrictions on the use and disclosure of Californians’ location data.</p>	