



STRATEGY & GOVERNANCE	
Is there a state agency or taskforce responsible for AI regulation or development?	Yes. The Maryland Department of Information Technology is the primary agency regulating AI usage within state government, guided by Maryland's Responsible AI Policy and responsible for ensuring ethical and safe AI implementation.
Is there an enacted AI law or regulation that applies to health insurance?	Yes. H.B. 795 (2025) requires human review of an adverse determination made by AI. ²³⁸ H.B. 820 (2025) requires AI tools to base determinations on individual patient medical history, clinical circumstances, and relevant medical records, and explicitly prohibits basing decisions solely on group datasets, and mandates that AI tools don't replace healthcare provider decision-making. ²³⁹
Is there an official state strategy on AI?	Yes. The Maryland AI Enablement Strategy & AI Study Roadmap outlines a five-part plan: governance, capacity-building, innovation, workforce, and studies in key issue areas, including health care. ²⁴⁰
CONSUMER PROTECTIONS	
Is there a state data protection law that applies to AI use of personal data?	Yes. The Maryland Online Data Privacy Act grants consumers the right to: (1) confirm whether a controller is processing the consumer's personal data; (2) access the consumer's personal data; (3) correct inaccuracies in the consumer's personal data; (4) require a controller to delete personal data, unless retention of the personal data is required by law; (5) obtain a copy of the consumer's personal data processed by the controller in a portable and, to the extent technically feasible; (6) obtain a list of the categories of third parties to which the controller has disclosed the consumer's personal data; (7) opt out of the processing of personal data for purposes of targeted advertising, the sale of personal data, or profiling in furtherance of solely automated decisions that produce legal or similarly significant effects concerning the consumer. ²⁴¹ However, health information identified under HIPAA and health records are exempt from the law. ²⁴²
Is human oversight of AI required?	Yes. H.B. 795 (2025) requires human review of an adverse determination made by AI. ²⁴³
Is there a consumer complaint mechanism available?	No. However, consumers can file a complaint through the Maryland Insurance Administration if they believe AI has been used improperly within their health insurance. ²⁴⁴
Has the state insurance commissioner adopted the NAIC Model Bulletin or a similar bulletin?	Yes. Maryland Insurance Administration issued Bulletin 24-11 adopting the NAIC Model Bulletin. ²⁴⁵ Executive Order 01.01.2024.02 outlines responsible principles for AI in state government and creates an AI Subcabinet of the Governor's Executive Council responsible for promoting AI principles, providing advice and recommendations on AI, and facilitating statewide coordination on the responsible, ethical, and productive use of AI across state agencies. ²⁴⁶
FUTURE READINESS	
Are there state-based advocacy groups related to AI in health insurance or health care?	Yes. MedChi has advocated for legislation to establish guardrails for the use of AI by PBMs and insurers. ²⁴⁷
Are there state-funded training opportunities on AI?	Yes. Maryland invested \$4 million via Department of Labor for AI training grants, apprenticeships, and cybersecurity programs. ²⁴⁸ Maryland Health Care Commission hosts the Health Care AI Symposium series for ethical/responsible AI in health. ²⁴⁹