



STRATEGY & GOVERNANCE	
Is there a state agency or taskforce responsible for AI regulation or development?	<p>Yes.</p> <p>The Texas Department of Information Resources (DIR) is responsible for enforcing and implementing the Texas Responsible Artificial Intelligence Governance Act (TRAIGA).⁴⁰⁹</p> <p>TRAIGA also created the Texas Artificial Intelligence Council, within DIR, which is responsible for supporting innovation and overseeing complaints.⁴¹⁰</p> <p>TRAIGA also creates a regulatory sandbox for novel AI systems.⁴¹¹</p>
Is there an enacted AI law or regulation that applies to health insurance?	<p>Yes.</p> <p>S.B. 815 (2025) prohibits a utilization review agent from using AI as the sole basis for a benefit decision, delay, or denial.⁴¹²</p> <p>S.B. 1188 (2025) requires that health records developed with the assistance of AI must be reviewed by a health care provider.⁴¹³ The law also requires the health care provider to disclose the use of AI to patients.⁴¹⁴ It also regulates the use of AI, including requiring certain disclosures to consumers about their engagement with AI systems and prohibiting AI systems from encouraging or inciting self-harm, harm to another person or criminal activity.⁴¹⁵</p> <p>H.B. 149 (2025) requires provider disclosure if an AI system is used in relation to health care service or treatment.⁴¹⁶</p> <p>Each state agency and local government deploying or using AI must include a generalized statement in the patient consent forms that an artificial intelligence system may be used in the course of their treatment.⁴¹⁷</p>
Is there an official state strategy on AI?	<p>No.</p> <p>However, the Texas Artificial Intelligence Council is responsible for issuing reports on the compliance of AI systems, ethical implications of AI, data privacy and security concerns, and other issues associated with the use of AI in the state.⁴¹⁸</p>
CONSUMER PROTECTIONS	
Is there a state data protection law that applies to AI use of personal data?	<p>Yes.</p> <p>The Texas Data Privacy and Security Act grants consumers the right to: (1) know if their data is being collected and receive a copy of their data; (2) correct inaccuracies in their personal data; (3) have their personal data deleted; (4) opt out of having their data processed for targeted advertising, sale, or profiling; and (5) not have retaliation or discrimination for exercising these rights.⁴¹⁹ However, health information identified under HIPAA and health records are exempt from the law.⁴²⁰</p>
Is human oversight of AI required?	<p>Yes.</p> <p>S.B. 1188 (2025) requires review of health records by a health care provider.</p> <p>S.B. 815 (2025) requires a health care provider to review utilization review decisions, denials, and delays.</p>
Is there a consumer complaint mechanism available?	<p>Yes.</p> <p>Consumers can file a complaint with the Texas AG if they believe TRAIGA has been violated.⁴²¹</p> <p>Consumers can file a complaint with the Texas Department of Insurance if they believe AI has been used improperly in a health insurance decision.⁴²²</p>
Has the state insurance commissioner adopted the NAIC Model Bulletin or a similar bulletin?	<p>Yes.</p> <p>Texas Insurance Commissioner Bulletin #B-0012-25 recognizes that S.B. 815 (2025) prohibits the use of AI decisions in utilization review.⁴²³</p>
FUTURE READINESS	
Are there state-based advocacy groups related to AI in health insurance or health care?	<p>Yes.</p> <p>Texas Medical Association supports the use of AI with supported physician decision-making.⁴²⁴</p>
Are there state-funded training opportunities on AI?	<p>Yes.</p> <p>Texas DIR is required to certify at least 5 AI training programs for state and local government employees.⁴²⁵ DIR is also developing an AI Literacy Program.⁴²⁶</p>