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Conflict of Interest Disclosure

 I certify that, to the best of my knowledge, no affiliation or relationship of a financial nature with a commercial interest organization has significantly affected my views on the subject which is being presented.



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Learner Outcomes/Objectives

- Objective #1: Define "Artificial Intelligence" and describe how it is being used in healthcare.
- <u>Objective #2</u>: Identify and explain use of computer-assisted diagnosis, remote monitoring, computerized voice recognition technology and Al-assisted medical decision.
- $\hbox{$^\bullet$ \underline{Objective \#3:}$ Predict how the use of AI in healthcare will impact medical professional liability claims, discovery and litigation.}$



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My Information

Matthew P. Keris, Esquire

Chair, Electronic Medical Record and Audit Trail Litigation Practice Group 50 Glenmaura National Boulevard Moosic, PA 18507 570.496.4602 mpkeris@mdwcg.com







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The Next Step in EMR Evolution

- EMR systems have \geq 15 years of patient data
- Pre ChatGPT, \$67.4 billion in projected spending by 2027 (\$6.9 billion in 2021)
 - Artificial Intelligence in Healthcare Market by Offering (Hardware, Software, Services), Technology (Machine Learning, NLP, Context-aware Computing, Computer Vision), Application, End User and Geography Global Forecast to 2027
- Next up–Human level decision making
 - Result: Netflix/Amazon/Facebook experience





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The Next Step in EMR Evolution

- Moore's Law and Al
 - Number of computer transistors doubles about every two years
 - · Computers continue to get faster, smaller, cheaper and now, adds Al
 - <u>Doubling effect</u>-as devices get smaller and more powerful, Al gets bigger as it becomes more complex
- STAT Health Tech posts updates daily





Overview of Al Use in Health Care

- Patient Monitoring
 - · Use of smart devices, watches and home assistants
- Administrative
 - Voice recognition technology for dictation to the EMR
 - Automated appointments; reminders; test results
- Computer Aided Diagnosis (CAD)
 - · Computerized interpretation of imaging studies and pathology specimens
- Clinical Decision Support (CDS)
 - The chart is now a "tool" and not merely used to document
 - The chart can be considered a new participant in physician/patient relationship





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Al-Enhanced Smart Devices Usage

- Predicting/Reporting
 - Falls; acute medical emergencies; diagnosis; tracking infectious diseases.
- Monitoring
 - Listening devices; cameras; bluetooth medical devices (EKGs, Glucose, Pulse Oximetry); wearables.
- Virtual hospitals
 - Nurses and doctors talk with and monitor patients by looking at screens with graphs of data from the patients
 - No beds, all patients monitored remotely
 - Al surveillance algorithms pick up warnings and alert the clinicians





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Proliferation of Smart Devices

- Unique considerations
 - Internet connectivity
 - Ability to pay for online services (cellular/wifi)
 - Reliability of internet connectivity (speed, etc.)
 - Battery life
 - Duty to preserve the devices for litigation
 - Unique partnerships developing—<u>Geisinger and Best Buy's Geek Squad?!</u>





Al and Medical Dictation

- Pro: Siri/Alexa dictation frees physician to focus on patient
- Con: 95% accuracy still not good enough
 Loud background
 Microphone use

 - Language accents
 - Use of medical/text abbreviations





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Al-Assisted Communications / Scheduling

- Pro: Automation assists with continuity of care
- Con:
 - Will patients be less likely to reach out to their physicians?

 - Who is monitoring the automated messages?How to verify messages have been reviewed by patient?
 - Elderly patients and inability to have online relationship
 - Cost/familiarity with online communications/lack of smartphone
 - Reminder fatigue





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Health Care Risks With CAD

- · Early success with imaging and pathology

 - Improved accuracy
 Reduced human workload
 - · In some instances, AI is better than humans
- Al fooled by image tampering attacks
 - UPMC submitted false mammography images and fooled AI 69% of time; humans 71% https://www.upmc.com/media/news/121421-wu-ai-safety





ChatGPT—Natural Language Predictor

- · At core, it predicts next words to use in responding to an inquiry
- Made public-investors included Microsoft, Musk and the usual suspects
- Chatbot use has skyrocketed
- ChatGPT technology now being integrated in other platforms
- Caution: ChatGPT can make things up and lie
- What is healthcare providers' information and what is Al's contribution?





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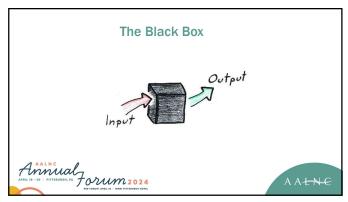
Computer Decision Support (CDS)

- Two Al components: EMR data and algorithms
 - Algorithms + EMR = Recommendations
 - Problem: Al does not explain rationale for decision
 - Referred to as the "black box"
 - Makes complex decisions without explaining rationale
 - Complicated as variables are added to the algorithm



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Giving Pause to CDS

- STAT Health and the Massachusetts Institute of Technology conclude Al could do more harm than good
 - Subtle shifts in data fed into popular health care algorithms can cause their accuracy to plummet over time.
 - The signs of dysfunction are often faint, making it difficult to root out faulty information before it bleeds into decision-making.
 - Stat and MIT rooted out the weaknesses in well being care algorithms. Here's how we did it. www.statnews.com/2022/02/28/data-drift-machin learning, February 28, 2022





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Implications of CDS

Pros

- Computerized "second opinions" can reduce medical errors
- · Better care, shorter hospitalizations, less claims

Cons

- Documentation how will Al appear in chart?
- Black Box how to explain recommendations?
- Retrospective analysis required to gauge care
- · However, CDS is not immune from bias and error
- Little FDA oversight in CDS adoption



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Role of Bias and Reliance on Clinical Care

- Training
 - Will the next generation be as honed as their predecessors if Al-dependent?
- Pre-Care Knowledge of Al Recommendation Creates Bias
 - $\ensuremath{^{\circ}}$ Initial positive finding by AI can increase number of false positives
 - Initial negative finding may provide false assurance that things are normal
 May need multiple reviews to be certain of diagnosis and/or recommendations





Anticipated Claim Issues

- Health care providers will remain primarily accountable
 - New defense- "Reliance on Al recommendation was reasonable under the circumstances"
- Over/under reliance on Al
- Increased likelihood of class actions
- Law is slow to technology-No legal cases at present
- How will jurors perceive Al in healthcare?



