

Effective 5/7/2025

Part 1

General Provisions

13-72a-101 Definitions.

As used in this chapter:

- (1) "Artificial intelligence" means the same as that term is defined in Section 13-72-101.
- (2) "Artificial intelligence technology" means the same as that term is defined in Section 13-72-101.
- (3) "Confidential communications" means the same as that term is defined in Section 58-60-102.
- (4) "Covered entity" means the same as that term is defined in 45 C.F.R. Sec. 160.103.
- (5) "Division" means the Division of Consumer Protection created in Section 13-2-102.
- (6) "Generative artificial intelligence" means an artificial intelligence technology system that:
 - (a) is trained on data;
 - (b) is designed to simulate human conversation with a consumer through one or more of the following:
 - (i) text;
 - (ii) audio; or
 - (iii) visual communication; and
 - (c) generates non-scripted outputs similar to outputs created by a human, with limited or no human oversight.
- (7) "Health care provider" means the same as that term is defined in 45 C.F.R. Sec. 160.103.
- (8) "Health plan" means the same as that term is defined in 45 C.F.R. Sec. 160.103.
- (9) "Individually identifiable health information" means any information, whether oral or recorded in any form or medium, that relates to the physical or mental health or condition of an individual.
- (10)
 - (a) "Mental health chatbot" means an artificial intelligence technology that:
 - (i) uses generative artificial intelligence to engage in interactive conversations with a user of the mental health chatbot similar to the confidential communications that an individual would have with a licensed mental health therapist; and
 - (ii) a supplier represents, or a reasonable person would believe, can or will provide mental health therapy or help a user manage or treat mental health conditions.
 - (b) "Mental health chatbot" does not include artificial intelligence technology that only:
 - (i) provides scripted output, such as guided meditations or mindfulness exercises; or
 - (ii) analyzes an individual's input for the purpose of connecting the individual with a human mental health therapist.
- (11) "Mental health therapist" means the same as that term is defined in Section 58-60-102.
- (12) "Personal data" means the same as that term is defined in Section 63A-19-101.
- (13) "Scientific research development" means research:
 - (a) conducted by a researcher affiliated with:
 - (i) an institution of higher education;
 - (ii) a research organization; or
 - (iii) a healthcare facility; and
 - (b) that is:
 - (i) approved by an institutional review board; and
 - (ii) conducted in accordance with applicable ethics requirements for human subject research.
- (14) "Supplier" means the same as that term is defined in Section 13-11-3.
- (15) "User input" means content provided to a mental health chatbot by a Utah user.

(16) "Utah user" means an individual located in the state at the time the individual accesses or uses a mental health chatbot.

Amended by Chapter 95, 2026 General Session