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HEALTH
AUTHORITY

AI and Sensitive Data:

Centering Equity, Trust, and Accountability

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Overview:

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AI and Sensitive Data: Centering Equity, Trust, and Accountability

- How should we approach AI use involving sensitive information?
- Who needs to help shape the decisions?
- What conditions should be in place before use?

Grounding Decisions in Program Needs and Community Perspectives

- Define the problem and intended benefit
- Engage data trustees and data stewards
- Draw community feedback through established program relationships
- Consider how internal decisions could affect people receiving services

Bringing the Right Representation to the Table

- Program leaders and frontline staff
- Designated Liaisons and representatives
- IT, including architecture and system operations
- Privacy, security, legal, accessibility and equity representatives
- Decision-makers with authority to address concerns and establish safeguards

Principles to Guide the Work

- Cultivate a data-informed culture
- Continuous improvement
- Trust and transparency
- Equity and belonging
- Data security and confidentiality
- Access and availability
- Ethical use of data
- Collaboration and partnership

Understanding Potential Benefits and Harms

- Could AI reduce delays, paperwork, or barriers to support?
- Could errors create additional burdens or interrupt services?
- Whose experiences might be missing or misrepresented in the data?
- Could outputs expose or infer sensitive information?
- Compare the proposed use with the current process and other options

How Other States Are Approaching AI and Sensitive Data

- California: Prohibits entering sensitive or personal information into unapproved GenAI systems; requires human verification of outputs for decisions and review bias
- Washington: Requires agencies to apply statewide AI principles; restricts incorporating nonpublic data into unlicensed AI technologies without appropriate contracts, including a data-sharing agreement
- Takeaway: Evaluate the specific purpose, data, protections, and accountability; not simply whether a tool uses AI

Safeguards That Protect People and Their Data

- Use environments approved for the specific data and purpose
- Limit data and access to what the task requires
- Establish restrictions on vendor access, retention, reuse, and model training
- Test for inaccurate outputs, unequal performance, and unintended disclosure
- Monitor use and maintain a clear response process when problems arise

Human Oversight, Transparency, and Accountability

- Define what decisions must remain under human control
- Document when review occurs and who can override outputs
- Ensure reviewers have the training, information, and authority to intervene
- Assign responsibility for escalation and suspension of use
- Reassess after failures or material changes

Putting Principles Into Practice: A Hypothetical Use Case- "Finding the Information Needed for Timely Approval"

- Challenge: Documentation supporting medical prior authorization approval may be scattered throughout extensive medical records
- AI assistance: Locate relevant passages and organize them alongside the applicable criteria, with source references
- Human Review: Verify the information, consider the clinical context, and make the authorization decision
- Safeguard: Information AI fails to find must not automatically be treated as missing
- Potential Benefit: Less time searching and fewer unnecessary requests for documentation thus supporting timely access to care

When Resources Are Limited and Federal Requirements are Increased, What Do We Owe the People We Serve?

- Consider the consequences of limited resources, delayed services, and systems that have not kept pact with people's needs
- Evaluate whether AI can help close those gaps while protecting sensitive information
- Measure progress through access, equity, accuracy and accountability