Top Legal Risks for Providers

DATA PRIVACY

- Health systems must take measures to **protect all patient information**, regardless if it is HIPAA data or consumer data
- **How and with whom data are shared** will increase risks, such as cross-institutional data sharing
- **AI has proven it can reidentify de-identified data**, causing concerns

CYBERSECURITY

- As AI capabilities enhance offensive efforts, they'll do the same for defense; **staying on top of the latest capabilities** will be crucial
- LLMs have **lowered the bar to entry for attackers** via 'jailbreak' tactics
- **Phishing attacks are more sophisticated**, personalized and automated

CLINICAL LIABILITY

- To date, **little signal from United States courts** about the question of liability for medical injuries caused by relying on AI-generated information and who is responsible
- Health systems must **mitigate liability risks until a clearer standard** of care relating to AI systems is established