

# HB641 • Kentucky

## AN ACT relating to mental health chatbots.

Introduced

Risk: High

Comprehensive

Last Action (Feb 23, 2026): to Small Business & Information Technology (H)

## Summary

The bill establishes consumer protections for mental health chatbots, defining terms and prohibiting misleading advertising while ensuring clear disclosure of AI use. It also provides an affirmative defense to liability if specific requirements are met.

## Business Impact

If you provide mental health chatbots in Kentucky, you must disclose AI usage and comply with data handling rules or face legal action.

## Key Provisions

- Defines terms related to mental health chatbots and AI.
- Prohibits misleading advertising without clear disclosures.
- Requires clear indication that the chatbot is AI-driven.
- Establishes rules for handling individually identifiable health information.
- Grants enforcement authority to the Attorney General.
- Includes a severability provision.
- Provides an affirmative defense to liability if compliance with disclosure and operational requirements is demonstrated.

## Compliance Checklist

- Clearly disclose that the chatbot is AI-driven | Who: Suppliers of mental health chatbots | Penalty: Legal action by the Attorney General
- Handle individually identifiable health information according to specified rules | Who: Suppliers of mental health chatbots | Penalty: Legal action by the Attorney General

## Industries Affected

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- Healthcare
  - Consumer Protection
  - Technology
  - Artificial Intelligence
  - Mental Health Technology

## Topics

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- AI Healthcare
  - AI Transparency
  - Comprehensive AI
  - User-Facing AI
  - AI Liability

## Bill Sponsors

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Name	Party	Role
R. Webber		Primary
D. Osborne		Primary
V. Grossl		Primary

## Official Source

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<https://apps.legislature.ky.gov/record/26RS/hb641.html>

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