

# AI Compliance Chart for Businesses

## Utah S.B. 226

### Scenario

### Analysis

1

A client interacts with their bank's online web portal to type questions about their account and receive responses. The web portal uses AI to review the client's account information and automatically provide the responses.



Disclosure is likely required. The bank is using AI to simulate human conversation regarding the client's finances.

2

A consumer uses a wearable device to monitor their health. The wearable device uses AI to analyze the consumers' health data, answer health-related questions, and provide recommendations.



Disclosure is likely not required. There is no "individual providing services in a regulated occupation".

3

Same scenario as #2, but a doctor prescribes the wearable device to the consumer to assist the doctor in providing health care to the consumer.



Disclosure may be required. However, the outcome may depend on whether the patient's use of the device (e.g., at home) is considered "the provision of regulated services" from the doctor.

4

An accountant uses AI to prepare an audit, which is then provided to a client.



Disclosure is likely not required. The "individual receiving services", namely the client, is not interacting with the AI.

5

Under the supervision of a healthcare professional, a patient is connected to health sensors that collect the patient's health data and use AI to determine when to illuminate a red flashing light indicative of a health crisis.



Disclosure may not be required. [SB 226](#) defines "generative AI" as a system "designed to simulate human conversation". However, [SB 226](#) defines a human conversation to include one or more of "text; audio; or visual communication". This scenario would more likely require disclosure if the sensors output an audio message and respond to questions.

6

An attorney meets with a client and asks if the attorney can take an audio recording of their conversation. The attorney uses AI to record the meeting and automatically generate a written transcription of the conversation.



Disclosure is likely not required. Merely transcribing the conversation likely does not qualify as generative AI "designed to simulate human conversation... and generates non-scripted outputs".

## Scenario

## Analysis

7

A financial consultant uses a chatbot to consult with a client. The chatbot uses AI to monitor the conversation and provide recommendations to the client. Before displaying the recommendations to the client, the AI first shows it to the financial consultant who is required to approve it before the AI shows it to the client.



Disclosure may not be required. [SB 226](#) defines "generative AI" as having "limited or no human oversight".

8

A contractor meets with a client to discuss constructing the client's new home. The contractor presents the client with an AI program to facilitate the client's choice of which style of window shade to install in the new home. As the client indicates to the AI their style preferences, the AI adapts its recommendations.



Disclosure is likely not required. [SB 226](#) defines "high-risk" AI interactions as involving **"(a) the collection of sensitive personal information... [or] (b) the provision of personalized recommendations...that could reasonably be relied upon to make significant personal decisions"**.

9

During a telehealth visit, a patient describes their condition to a doctor. The doctor uses an AI program that listens to the patient and then provides written recommendations that are visible on the patient's computer screen. Halfway through the call, the patient asks if AI is being used to generate the written recommendations. The doctor answers that they are generated by AI.



Although the doctor discloses the use of AI, [SB 226](#) requires disclosure to occur **"verbally at the start of a verbal interaction; and in writing before the start of a written interaction"**.

10

Same as #9 but instead the doctor tells the patient at the beginning of the meeting that the doctor will be using AI to provide written recommendations based on their conversation.



Although the doctor verbally discloses the use of generative AI, [SB 226](#) requires disclosure to occur **"in writing before the start of a written interaction"**.

11

Same scenario as #9, but the doctor makes no disclosures. However, the AI discloses that it is AI.



The doctor is not subject to enforcement per the safe harbor provision (Section 13-75-104) if the AI itself **"clearly and conspicuously discloses: at the outset of any interaction... and throughout the interaction that it is generative AI"**.