

## **DRAFT Practice Guidelines**

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### **Guidance on the use of AI in Osteopathic Clinical Practice Issued:**

#### **Introduction**

Artificial intelligence (AI) can be defined as computer systems able to perform tasks that normally require human intelligence, such as visual perception, speech recognition, decision making, and translation between languages. Early evidence suggests that AI can enhance equity by lowering barriers to knowledge, enhancing access to healthcare, and increasing the productivity of healthcare professionals. However, any use of AI should be done judiciously, leveraging the strengths of AI to support and enhance decision making only when it is suitable and when it adds value. The use of AI methods should augment human involvement, not replace it.

In the New Zealand context of osteopathic clinical practice, AI is increasingly used in three main areas: generative AI and large language models (LLMs) for populating websites and summarising information for practitioners and patients; personalised medicine analysing patient data to provide treatment plans; and medical AI scribes for capturing clinical interactions.

This guidance document focuses on the main areas of current integration in osteopathic clinical practice, highlighting its benefits and risks. This guidance will be regularly reviewed acknowledging there will be a need to re-evaluate both the AI and clinical landscapes on an ongoing basis.

#### **Overarching Standards**

While the use of AI tools in healthcare is rapidly developing area of clinical practice, the use of these tools must still occur in accordance with the standards set by the Osteopathic Council, including the Osteopathic Practice Competencies, Code of Conduct and other professional standards.

While this document sets out specific considerations for the use of AI tools in clinical practice, the issues raised are not unique to the use of AI. An individual practitioner is responsible for ensuring they are practising safely, and that their practice meets the expected standards of care.

#### **Generative AI and LLMs**

Generative AI can be used to create content for websites and summarise content for the provision of patient advice. It can also be used to summarise clinical information and provide recommendations for treatment. This type of AI is powered by large machine learning models pre-trained on vast amounts of data to produce various types of content, including text, images, and audio. Well-known examples include ChatGPT by OpenAI and Bard by Google.

While generative AI can effectively summarize information and present it in an understandable way, it has limitations. These tools can produce false or inaccurate information and may generate different answers to the same question, making accuracy checks challenging. Therefore, any use of AI methods should be based on the principle of augmentation, not replacement, of human involvement. Practitioners must be cautious and verify the information generated by these tools before using it in clinical practice, on any marketing material, or when providing information for patients.

**It is inappropriate to use unchecked generative text in clinical notes, as it may produce incorrect or inaccurate information.**

### **Medical AI Scribes**

Medical AI scribes are used to assist practitioners by documenting clinical encounters and can allow practitioners to spend more hands-on time with patients while providing comprehensive summaries of clinical encounters. However, AI scribes are not a replacement for clinical decision-making. Once a draft clinical note is generated, it is the practitioner's responsibility to thoroughly review it for accuracy, correct any errors, add relevant non-verbal observations, and ensure it is complete before saving it into the patient's medical record.

Beyond producing clinical notes, many AI scribes can also generate other documents, such as patient information sheets, referral letters, and care plans. It is important to verify whether the AI scribe functions being used act solely as a documentation tool or if they incorporate clinical decision support features that offer care suggestions. Tools with clinical decision-making capabilities require additional considerations compared to scribe-only systems.

### **Assessing Risk**

For AI to be used in healthcare, it must be both safe and reliable. When adopting new technologies, practitioners have a responsibility to carefully evaluate the associated risks and benefits. While widely available LLMs and Generative AI tools, such as ChatGPT and Gemini, are not validated as safe or effective for healthcare use – nor have their risks and benefits been thoroughly assessed within the Aotearoa New Zealand health context – there may be AI tools with appropriate technical and data privacy safeguards in place. **Practitioners should conduct due diligence to select a provider that meets appropriate safety, privacy, and compliance standards.**

Practitioners should understand how AI tools work, including the data sources they were trained on and their relevance and reliability. AI must be safe and not expose patients to increased levels of risk. The use of AI should also align with the goals set out in the Pae Ora/Healthy Futures Strategies (2023) to achieve health equity and improve health outcomes. This requires developing clinical frameworks for AI assessment and understanding AI limitations and risks.

Within New Zealand, Health New Zealand | Te Whatu Ora does not yet endorse the use of LLMs or generative AI tools where non-public information is used to train the model or within the context of the model. Health NZ National Artificial Intelligence (AI) and Algorithm Expert Advisory Group (NAIAEAG) also currently advise a precautionary approach, due to risks around breach of privacy, inaccuracy of output, bias, lack of transparency and data sovereignty.

### **Principles for Safe Use**

The following principles apply to the safe use of AI in the context of osteopathic clinical practice:

**Accountability:** Regardless of what technology is used in providing healthcare, the practitioner remains responsible for delivering safe and quality care and for ensuring their own practice meets the professional obligations set out in the Council's Osteopathic Practice Competencies, Code of Conduct and other professional standards. Practitioners must apply human judgment to any use of AI and the resulting outcomes.

**Privacy:** AI providers may use data for training generative AI, which may not be consistent with aspects of the NZ Privacy Act and Health Information Privacy Code, such as the right to access and correct personal information held by an agency and requirements for storage and security of personal information. Users of AI tools must ensure that personal information is not retained or disclosed by the AI system. Using identifiable information without authorisation or a direct relation to its initial collection purpose is likely to be considered a privacy breach.

**Data Security:** Data handling practices must align with the New Zealand Privacy Act 2020, ensuring that personal information is processed with transparency, security, and in accordance with lawful principles. Patient data must reside on servers located within New Zealand or in jurisdictions with equivalent data protection standards, ensuring compliance with local laws.

**Consent:** Obtaining consent is essential when incorporating an AI into clinical practice. Patients should be informed about its use, including its purpose, limitations, and benefits, in a way that is easy to understand. Be transparent, telling people how, when, and why the tool is being used. Failure to obtain consent can result in significant risks, including breaches of patient trust, potential legal liabilities, and non-compliance with privacy regulations. Explicit consent is required for the use of identifiable patient data, reinforcing privacy principles, and mitigating potential risks associated with data misuse. Patients may feel their autonomy is undermined if not informed, and privacy breaches could arise if data is used without their explicit approval.

**Accuracy and Integrity:** Develop procedures for accuracy and access by individuals to their information. Reviewing and validating all notes or information generated by AI is essential before they are entered into an official medical record or provided for patient information. This thorough review ensures accuracy, prevents errors, and upholds trust in the documentation process.

AI should be used to streamline administrative tasks, not to replace the clinician's expertise or judgment. The clinician's responsibility is central to maintaining the quality and integrity of documentation, as AI tools are not capable of fully understanding the complexities of clinical decision-making. Practitioners must remain vigilant and avoid complacency to ensure the reliability and integrity of patient records.

**Cultural Safety:** Generative AI may be trained on biased data, under-representing or misrepresenting minority populations. This reliance on biased data sources can reinforce social and health inequities if used in healthcare. Users must ensure human review of information prior to acting on AI outputs to reduce risks of inaccuracy and bias.

### **Acknowledgements**

These guidelines have been based on the Chinese Medicine Council of New Zealand's *Guidance on the use of AI in Chinese Medicine Clinical Practice*. The Council would like to thank the Chinese Medicine Council for their kind permission to use this document as a basis for these guidelines.

### **Further Reading**

Use of AI in evidence generation: NICE position statement | Our research work | What we do | About | NICE. (n.d.). Retrieved January 24, 2025, from <https://www.nice.org.uk/about/what-we-do/our-research-work/use-of-ai-in-evidence-generation--nice-position-statement>

AI in healthcare | Prime Minister's Chief Science Advisor. (n.d.). Retrieved January 24, 2025, from <https://www.pmcsa.ac.nz/artificial-intelligence-2/ai-in-healthcare/>

Privacy Commissioner. (2023). Artificial intelligence and the Information Privacy Principles.

Capturing the benefits of AI in healthcare for Aotearoa New Zealand A rapid report from the Prime Minister's Chief Science Advisor Kaitohutohu Mātanga Pūtaiao Matua ki te Pirimia. (2023).

Australian Health Practitioner Regulation Agency - Meeting your professional obligations when using Artificial Intelligence in healthcare. (n.d.). Retrieved January 24, 2025, from <https://www.ahpra.gov.au/Resources/Artificial-Intelligence-in-healthcare.aspx>