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NYSAN – Advancing the Practice of Neuropsychology in New York

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**NYSAN: Legislative Committee
04/2026: AI Legislative Update**

AI is a rapidly developing technological resource that is already incorporated into many aspects of daily life, including healthcare. Within the field of neuropsychology, it is being used to help with a range of tasks including scheduling, report writing assistance, and hypothesis refinement. AI-powered digital cognitive assessments are also being developed, and machine learning is being used to analyze complex, unstructured data such as natural language processing. While AI has many potential benefits, it also poses unique risks including data privacy breaches, algorithmic bias that can perpetuate health disparities, and potential interpretation, diagnostic, and treatment recommendation errors. For these and many other reasons, AI should not function as an autonomous decision-maker in neuropsychology. Licensed professionals are ultimately responsible for the ethical and appropriate professional use of AI tools and patient care.

In theory, NYSAN supports the use of fair, ethical, and relevant use of AI to assist in the delivery of select aspects of clinical psychology/neuropsychology services; however, appropriate safeguards and regulations need to be established to protect our patients, the community, and the overall profession of clinical psychology/neuropsychology. To that end, NYSAN leadership is monitoring relevant New York State legislation. At this time, we are aware of the following legislative initiatives having been introduced in NYS:

A 8884/S 1169-A: New York Artificial Intelligence Act

- Provides clear guidance for AI development, testing, and validation.
- Holds developers and deployers of AI responsible for preventing harm and ensuring their AI tools are free from algorithmic discrimination.
- Developers and deployers of AI would be legally responsible for the quality and accuracy of consequential decisions made by AI tools and systems.
- Requires disclosure when AI is used to make or assist in making consequential decisions and allows individuals to request human review.
- Mandates third-party audits and risk management documentation for AI tools developed and used in NYS.

A 9106/S 8484: Oversight of Technology in Mental Health Care Act

- AI should not be used to supplant professional judgment in mental health care.

- Permitted use of AI by a licensed professional would include AI tools for administrative and supplementary tasks (e.g., scheduling, note preparation, identifying external resources).
- Requires written informed consent by the patient or their legally authorized representative before AI is used to record or transcribe a therapeutic session.
- Therapy services must be conducted by an individual who is a licensed professional.
- A licensed professional may not use AI to make independent therapeutic decisions, directly interact with clients in any form of therapeutic communication, generate therapeutic recommendations or treatment plans without review and approval by the licensed professional.

A 6545-A/S 7263: Imposes liability for damages caused by a chatbot impersonating certain licensed professionals

- Prohibits a chatbot from giving responses, information, or advice that would constitute as unauthorized practice if given by a natural person whose licensure is governed by the education law or the judiciary law.
- Requires clear and explicit notice to users that they are interacting with an AI chatbot program.

A 9219: Requiring artificial intelligence technology used in professional fields to be developed and maintained in consultation with experts in such fields

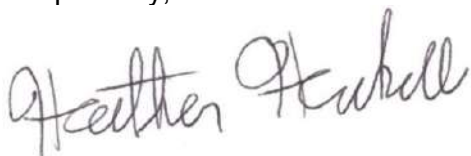
- To ensure public safety, ethical alignment, and accuracy, this bill requires AI used in professional domains (e.g., medicine, law, education) to be designed and trained with the substantive input of credential professionals from relevant fields.
- Applies to health care diagnostics, treatment recommendations, or patient monitoring.

If you become aware of prospective or introduced legislative initiatives relevant to NYSAN's AI monitoring effort, we request that you forward the information to Dr. Christina Wong (cgwong23@gmail.com). General inquiries regarding NYSAN Legislative Committee activities can be directed to Dr. Lindsay Plunkett (lindsayplunkettphd@gmail.com). We appreciate the efforts of the membership to assist NYSAN committees and the Board with the work of protecting and advocating for the field and our patients.

Related Resources:

- [APA – Ethical Guidance for AI in the Professional Practice of Health Service Psychology](#)
- [APA – Artificial intelligence is reshaping how psychologists work](#)
- [APA - AI tool guide for practitioners](#)
- [NYSAN Self-Study Webinar: AI in Neuropsychology: A Practical Guide](#)
- [National Institute of Standards and Technology – Artificial Intelligence Risk Management Framework](#)

Respectfully,



NYSAN President