

Artificial Intelligence (AI) Use Guidance

Essential Privacy & Compliance Information for Wyoming Medicaid Waiver Providers



THE GOLDEN RULE OF AI USE

Never enter client-specific Protected Health Information (PHI) or personally identifiable information into any non-HIPAA compliant AI tool (e.g., ChatGPT, Gemini, Copilot, or Claude). Doing so constitutes an impermissible disclosure under HIPAA. *Examples of PHI include name, address, birthdate, and Medicaid ID number. Additionally, when linked to these identifiers, a person's diagnosis, treatment plan, claims data, or test result could also become PHI.*

EXAMPLES OF ACCEPTABLE VS. UNACCEPTABLE AI USE

Category	 Acceptable Use (No PHI)	 Unacceptable Use (PHI Involved)
Documentation & Admin	Generating a generic draft of a policy or procedure manual (e.g., "Draft an internal policy on incident reporting.").	Asking AI to summarize a conversation with a client and their care team for a progress note.
Communication	Drafting a standard email template to notify guardians about organizational changes.	Using AI to draft a communication that includes a client's name and medical condition.
Training & Education	Creating training scenarios or quiz questions based on generalized, hypothetical client situations.	Uploading a client's Individualized Plan of Care to AI and asking it to generate a participant-specific training module.
Resource Generation	Using AI to suggest non-clinical activities for a generalized client group (e.g., "Suggest community activities for adults.").	Asking AI to analyze specific client assessment data to recommend changes to a plan of care.
Policy & Compliance Review	Using AI to search or scan published Medicaid documents to locate a specific section, citation, or information faster than reading the text manually.	Uploading individualized client records, care timelines, or internal logs to cross-examine against rules or audit for compliance gaps.

RECOMMENDED PROVIDER ACTIONS

- **Prohibit PHI Entry:** Implement policies that prohibit the entry of any client-specific data into non-compliant AI interfaces.
- **Review Vendor Compliance:** Ensure any clinical/specialized AI tools used meet strict federal and state standards.
- **Staff Training:** Train all staff members on this guidance to ensure clarity and compliance across daily operations.

USING SPECIALIZED CLINICAL AI?

AI can be used compliantly **only** if designed with proper safeguards. Ensure your AI vendor provides:

- **Data encryption & secure audit logs**
- **Strict internal user access controls**
- **A signed, legally binding Business Associate Agreement (BAA)**



HOME AND
COMMUNITY-
BASED
SERVICES
WYOMING MEDICAID
DIVISION OF HEALTHCARE FINANCING