

The Intersection of AI, Health Care and Law

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OGDEN
MURPHY
WALLACE
ATTORNEYS

AI Moment



The
AI REVOLUTION
in **MEDICINE**

GPT-4 AND BEYOND

Peter Lee | Carey Goldberg | Isaac Kohane

with Sébastien Bubeck

Foreword by OpenAI CEO, Sam Altman



"A moment of transformation
in our fundamental tools for
creating, expressing and
sharing knowledge"

Azeem Azhar, describing
this as a "**Gutenberg Moment**"

Opportunities

Challenges

Path Forward

“And you may ask yourself,
well, how did I get here?”

The Talking Heads



REED M^CCLURE
ATTORNEYS AT LAW



Nighthawk Radiology

PACS

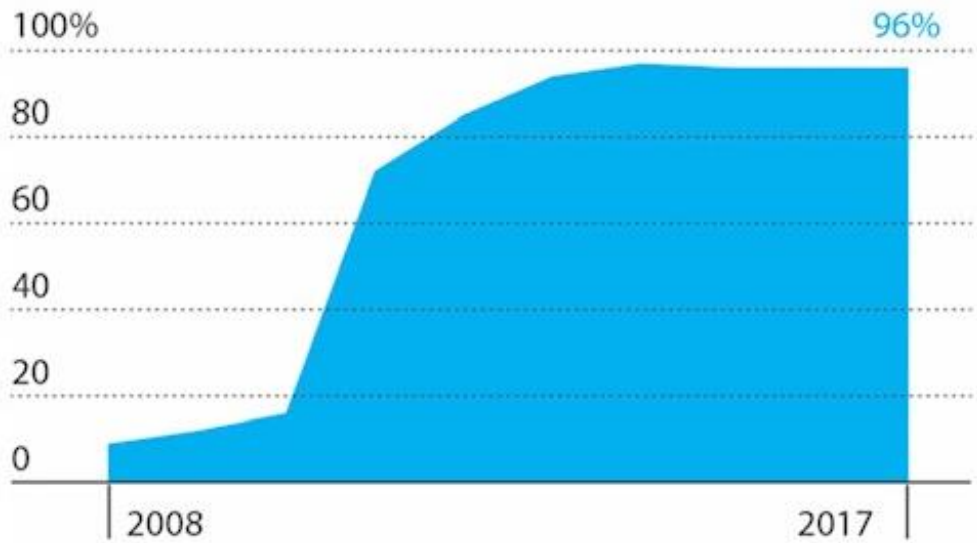
TEPR





HITECH Act

EHR ADOPTION FOR NONFEDERAL ACUTE CARE HOSPITALS



SOURCE: U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES

(Nicolas Rapp/Fortune)



ANNALS OF MEDICINE APRIL 3, 2017 ISSUE

A.I. VERSUS M.D.

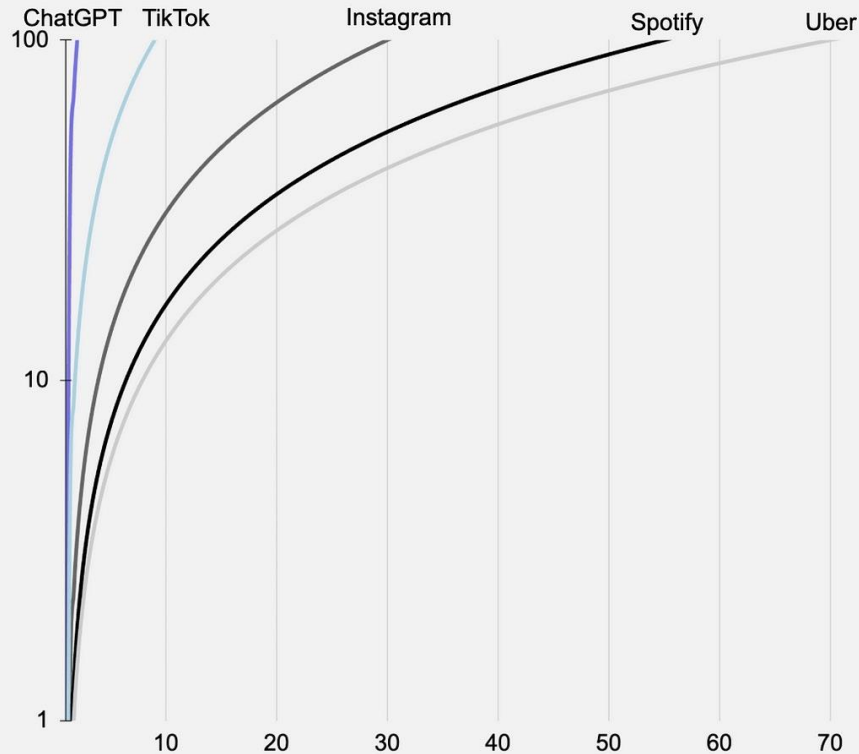
*What happens when diagnosis is
automated?*

By Siddhartha Mukherjee March 27, 2017

ChatGPT was adopted faster than any other consumer platform



Months to 100 million MAUs



Source: Yahoo Finance, UBS

exponentialview.co

“ChatGPT was adopted faster than any other consumer platform”



"The whole experience was stunning . . .
I knew I had just seen the most important
advance in technology since the graphical
user interface."

Bill Gates at the World Economic Forum in Davos, Switzerland, on May 24. Hollie Adams / Bloomberg via Getty Images



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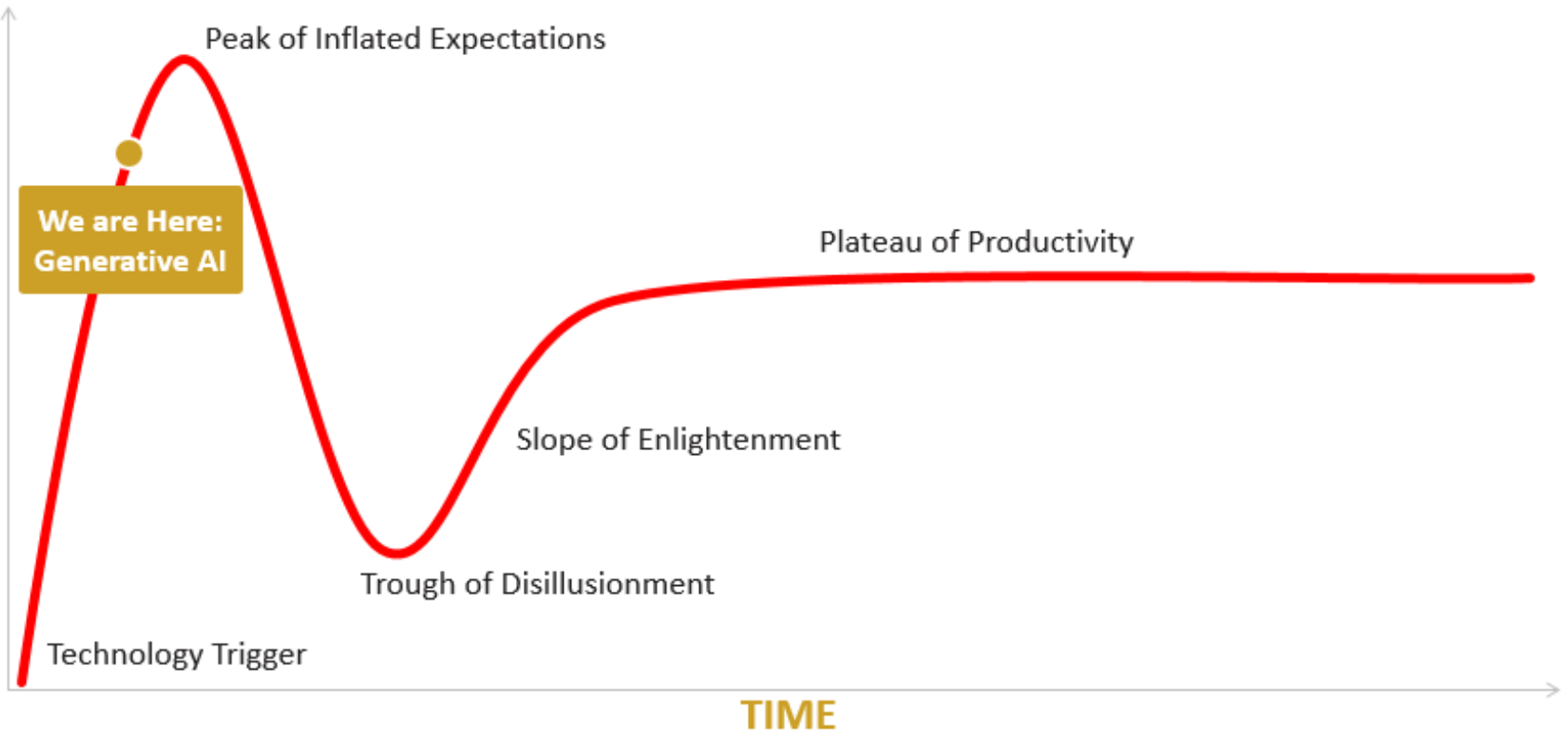


270 Years

Challenges

Gartner Hype Cycle

EXPECTATIONS



Google and the University of Chicago Are Sued Over Data Sharing



Sundar Pichai, Google's chief executive, testifying at a House of Representatives hearing last year. Google is building artificial intelligence that can diagnose medical conditions, which is raising privacy concerns. Sarah Silbiger/The New York Times

Malpractice Standards

When?

Who?



2010-2023 Fair Competition Law

“In most cases, reasonable prudence is, in fact, common prudence; but strictly it is never its measure; a whole calling may have unduly lagged in the adoption of new and available devices.”

The T. J. Hooper, 60 F. 2d 737, 740 (2d Cir. 1932),
Judge Learned Hand

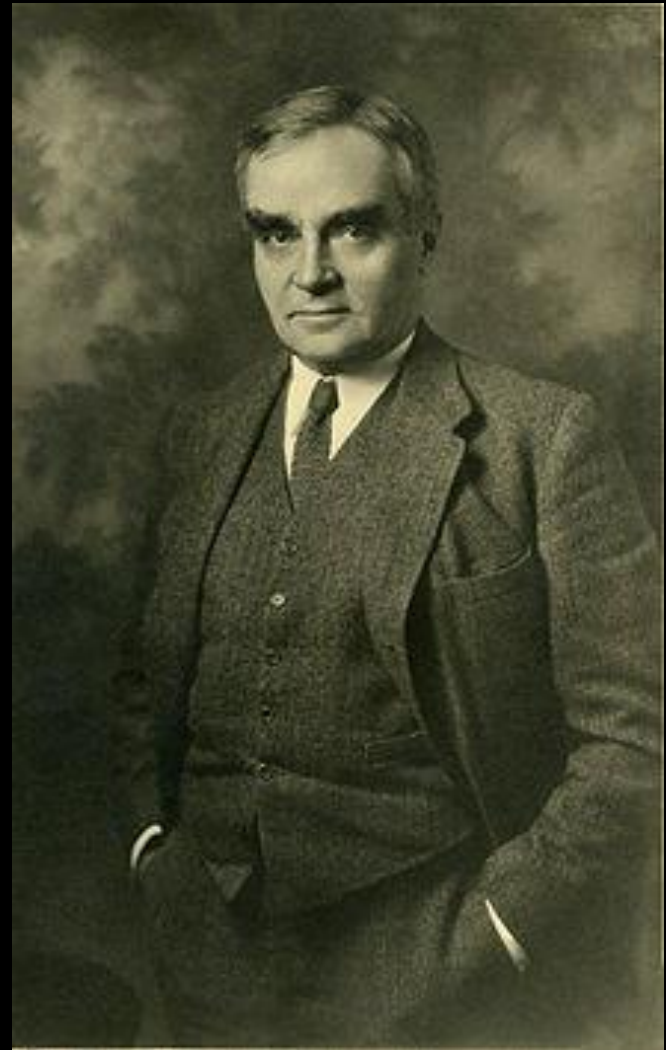
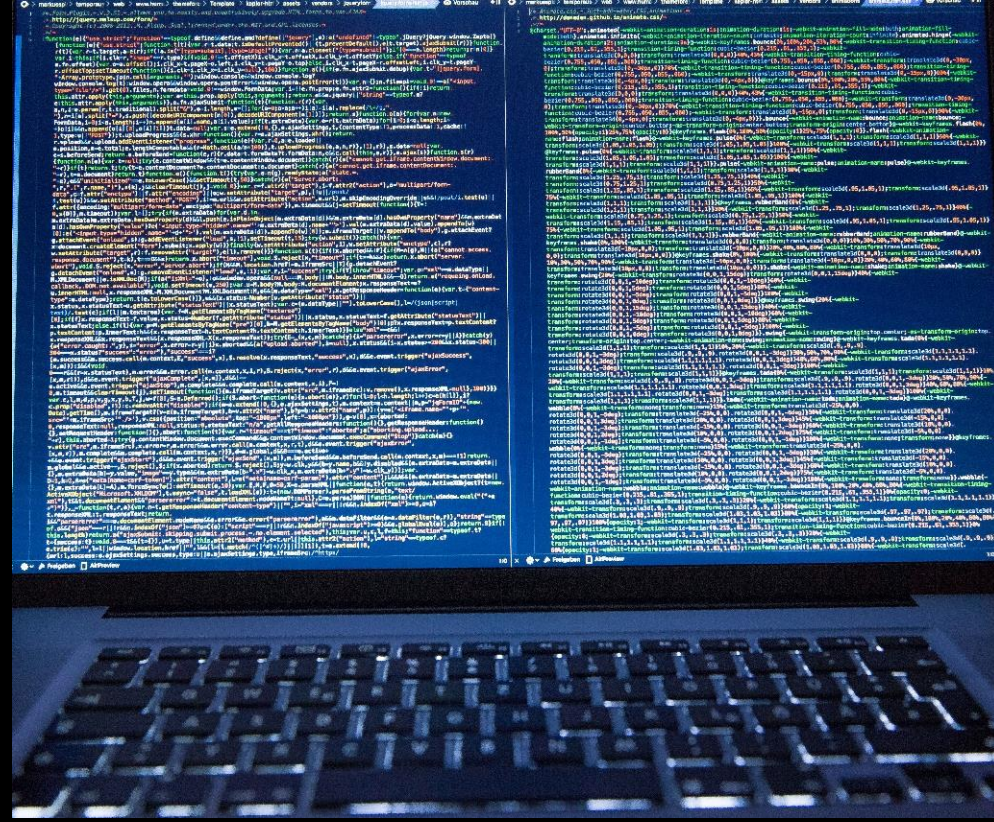




Image: Jamel Toppin for Forbes

Product Liability Doctrine and Software



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Image Credit: lu.is

Tech Giants and Policy Pushback



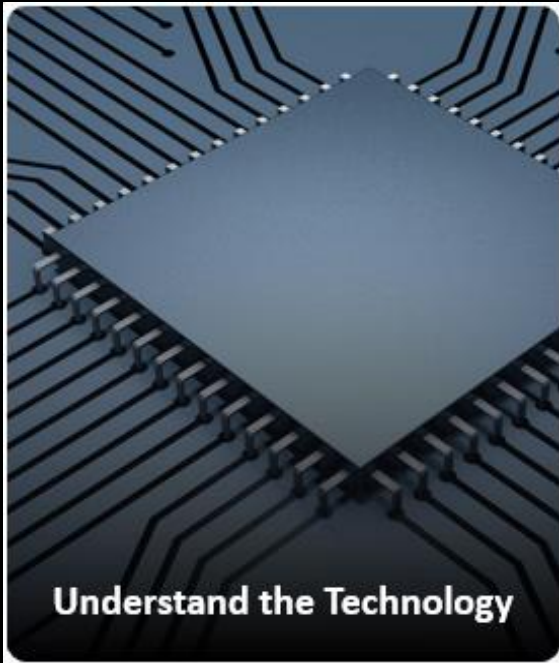
As fear rises over AI, Google and Epic fight stronger regulation of the technology in health care



By [Casey Ross](#)  July 17, 2023



The Path Forward









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