Indigenous Land Acknowledgement

- We acknowledge that we are gathered on Treaty 6 Territory, the traditional lands of many First Nations, including the Cree, Saulteaux, Blackfoot, Sioux, and Métis Peoples.

- We recognize the deep history and enduring presence of Indigenous Peoples on this land and affirm our shared responsibility to advance truth, reconciliation, and equity in all that we do.

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Meet Your Speaker

James J. Hall - General Counsel & Privacy Officer, Niagara Health

- Leading strategy, privacy operations, and AI governance in healthcare

- Experience in HIS implementation, digital health, and ethical tech leadership

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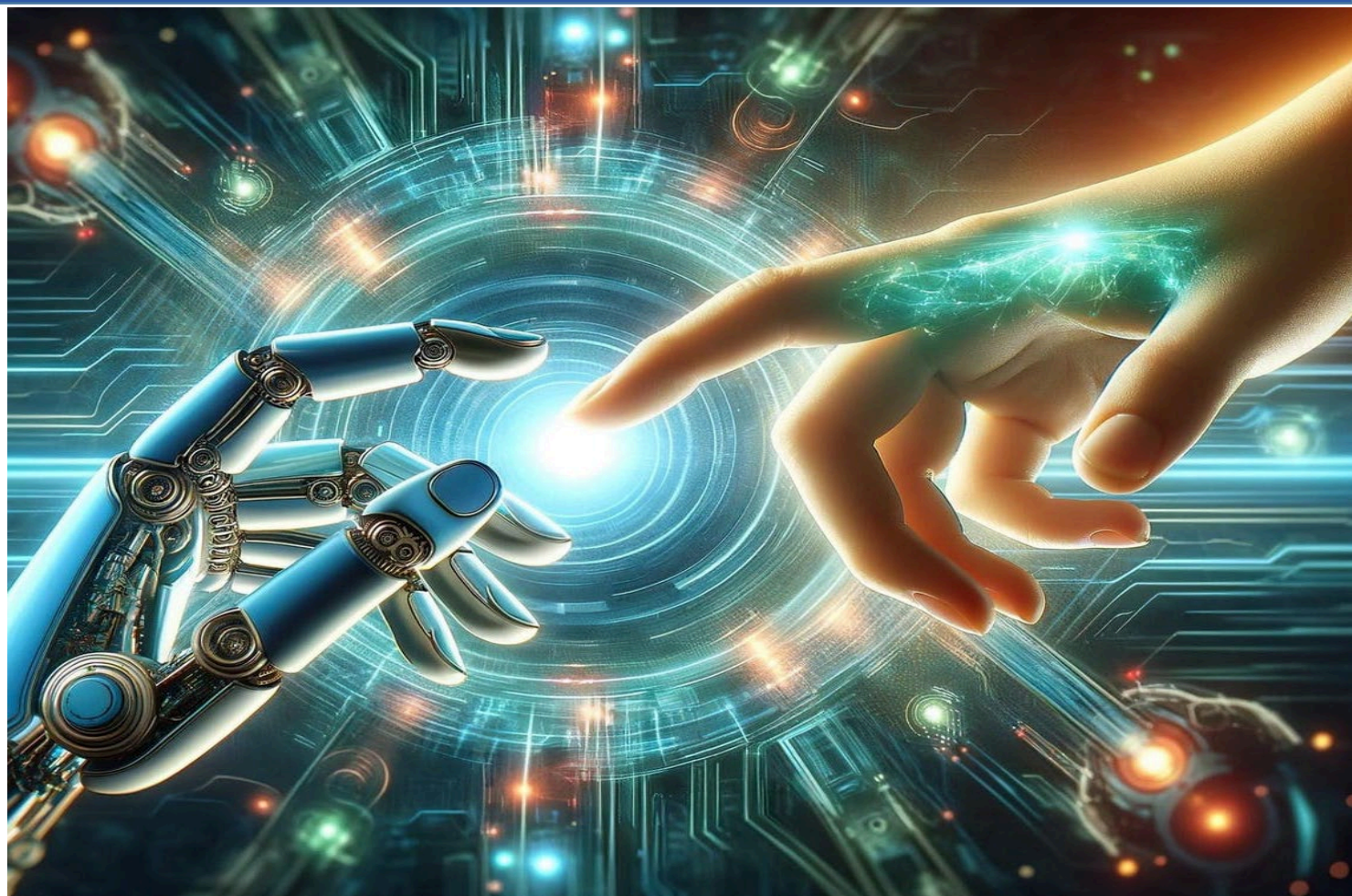
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"I can think of a thousand ways that this power could be misused, manipulated and go terribly wrong. I have also seen the internet go wrong too. But this is only the beginning of the AI age, and it might help to find a north star, a standard for what happens when the connection machine works for us, instead of against us."
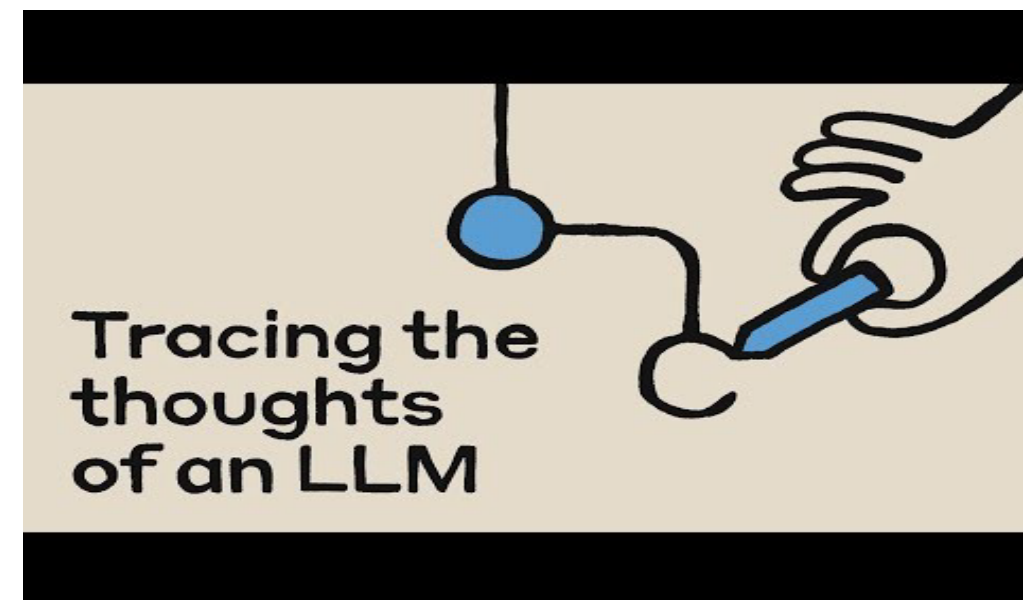
- Seth Godin, Author

Why Understanding AI "Thought" Matters

- Large Language Models (LLMs) simulate reasoning – not just word prediction

- AI may "plan ahead" or generate responses that appear logical but are flawed

- Lack of transparency increases the risk of misinformation in healthcare settings

- Understanding internal model behavior helps anticipate risks and ethical challenges

- Governance must be built on knowledge of how AI systems actually operate

Tracing the thoughts of an LLM

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Case Study: The Rise and Fall of Babylon Health

- Babylon Heath launched as a digital health startup aiming to revolutionize access to care through AI-powered virtual consultations

- Their chatbot promised instant medical triage and even claimed to outperform human doctors.

- Babylon partnered with the UK's NHS and raised over $1 billion in funding at its peak.

- But despite its rapid rise, Babylon faced growing safety concerns, technical flaws, and regulatory scrutiny.

- By 2023, the company collapsed in both the UK and US – exposing critical governance failures.

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Case Study: The Rise and Fall of Babylon Health

Potential Benefits (Promise)

- **Enhanced Accessibility:** AI-driven chatbots aimed to provide immediate medical advice, reducing wait times.

- **Cost Efficiency:** Potential to lower healthcare costs by automating initial patient assessments.

- **Scalability:** Ability to serve a large patient base without proportional increases in staffing.

- **Innovation Appeal:** Attracted significant investment and partnerships, including with the NHS.

Risks Without Governance (Peril)

- **Misdiagnoses:** Instances where the AI chatbot failed to identify serious conditions.

- **Regulatory Concerns:** The UK's Medicines and Healthcare Products Regulatory Agency expressed concerns over the chatbot's safety and the lack of stringent oversight.

- **Data Privacy Issues:** A data breach exposed confidential patient consultations to other users.

- **Overstated Capabilities:** Claims that the AI could outperform human doctors were disputed by medical professionals and lacked peer-reviewed validation.

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Key Takeaways from Babylon: Why AI Governance Must Be Proactive

- **Good intentions aren't enough:** even well-meaning tools can cause harm without safeguards.

- **Procurement ≠ Governance:** adopting tech is easy – governing it responsibly is the real work.

- **Clinical validation must come before implementation:** patient safety depends on it.

- **Data security and transparency are non-negotiable:** AI must align with privacy obligations.

- **Hype can outpace readiness:** AI success isn't just technical – it's organizational and ethical.

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What Governance Challenges are You Facing?

In Groups of 4, Discuss:

1. What generative AI tools (or proposals) are emerging in your organization?

2. What governance challenges are surfacing?

3. What core principles should guide how we govern these tools?

You'll have 10-12 minutes. We'll collect themes before moving into best practices.

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How Healthcare Providers Are Organizing for Generative AI Governance

Gartner Stats

- 80% of provider leaders have integrated or are planning to integrate GenAI.

- 50% now have a dedicated GenAI governance framework.

- 75% have or are developing vendor use policies.

- 67% are prioritizing data and AI ethics policies.

Where do you stand?

- No framework – governance is ad hoc

- Policies are in development, but fragmented

- We have a formal governance structure, but it's early

- Our GenAI governance is integrated across departments

- We have ongoing monitoring, auditing, and risk response built in

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The Four Principles for Effective GenAI Governance

1. **Centralize Decision-Making:** Establish a cross functional GenAI governance committee to guide strategy and oversight.

2. **Standardize Policies & Evaluation:** Develop formal policies and use a shared framework to assess GenAI proposals.

3. **Address Risk Proactively:** Ensure governance frameworks account for legal, ethical, privacy, and security risks.

4. **Invest in People:** Create an AI-ready workforce through training, change management, and role clarity.

Centralized Decision-Making

- **Establish a multidisciplinary AI governance committee** with clear authority, including legal, privacy, clinical, IT, operations, and patient safety leads.

- **Create a centralized intake and evaluation process** for GenAI initiatives across departments, programs, and vendor proposals.

- **Prevent shadow implementation** by requiring executive-level review and sign-off before GenAI tools are piloted or procured.

- **Align GenAI decisions with existing digital health, quality, and risk governance structures** to avoid duplication or conflict.

- **Ensure transparency by documenting decision, rationale, and accountabilities across the AI lifecycle.**

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Standardize Policies & Evaluation

- **Develop a clear policy for GenAI adoption and oversight**, distinct from traditional digital health tools.

- **Use a consistent risk-benefit evaluation framework** to assess GenAI proposals (e.g. privacy, legal, equity, clinical, cyber).

- **Integrate GenAI considerations into existing policy instruments** (e.g., procurement, quality, innovation, IT).

- **Ensure tools undergo structured review before deployment**, including bias, explainability, and model accuracy.

- **Embed policy into contracts, onboarding, and training** – not just boardrooms and binders.

Address Risk Proactively

- **Conduct GenAI risk assessments early** – before pilot projects or procurement decisions.

- **Ensure alignment with PHIPA, PIPEDA, and/or other applicable privacy and regulatory frameworks.**

- **Implement model-specific guardrails** (e.g., auditability, fallback logic, confidence thresholds).

- **Identify and mitigate algorithmic bias**, especially in high-impact patient-facing tools.

- **Create incident response plans and reporting protocols** for GenAI-related harms or errors.

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Invest in People

- **Create targeted training for clinical, administrative, and leadership teams** based on their role in AI use or oversight.

- **Demystify GenAI tools through real-world examples, demos, and case-based learning.**

- **Support digital transformation with change management strategies** focused on trust, transparency, and usability.

- **Engage staff in tool selection and implementation** to increase adoption and surface operational blind spots.

- **Establish clear role definitions and escalation pathways** for when GenAI tools fails or present uncertainty.

Executive Scenario Challenge: Govern the Unstoppable

Your mission:

- Assume you're the executive leadership team of a major healthcare organization. A new GenAI tool has been proposed. Your team must decide: **approve, reject, or modify?**

How it works:

1. Assign roles within your group: CEO, CIO, Chief Privacy Officer, Chief of staff
2. Review one of the scenarios
3. Debate the governance challenges using the four pillars and your respective role
4. Decide: Approve, Reject, or Modify
5. Be ready to share your rationale with the room in 90 seconds

Use the 4 Pillars: Centralized Decision-Making, Standardized Evaluation, Proactive Risk, and Invest in People

- **Scenario 1: "NoteBot"**

- A GenAI tool that auto-generates EMR notes during patient visits. No current review process exists, and staff haven't been consulted. The vendor wants a pilot in the ED next month.

-

- **Scenario 2: "AskWell"**

- A public chatbot for answering patient FAQs. Pulls content from brochures and websites. No policy for oversight or correcting mistakes. Legal is concerned about liability.

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From Insight to Action: Leading AI Governance with Confidence

Important Leadership Priorities Going Forward:

1. **Ask the right questions before approving AI tools.**

2. **Establish or join a governance committee in your organization.**

3. **Apply the 4 pillars to assess GenAI proposals and partnerships.**

4. **Build AI literacy into your teams – front line to executive.**

5. **Champion ethical, patient-centered adoption of technology.**

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Thank you – Let's Continue the Conversation

James J. Hall

General Counsel & Privacy Offer,
Niagara Health

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"By the end of this decade, there are going to be two kinds of companies: those that are fully utilizing AI and those that are out of business."

-Sundar Pichai, CEO of Alphabet (Google)

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