

THE APPLICATION OF ARTIFICIAL INTELLIGENCE IN HEALTHCARE AND ITS IMPACT ON THE 'PATIENT-DOCTOR' RELATIONSHIP



BACKGROUND

In the framework of its Strategic Action Plan on Human Rights and Technologies in Biomedicine (2020-2025), the Committee on Bioethics set up a drafting group to prepare a report on the application of AI in healthcare, highlighting the role of healthcare professionals in respecting the autonomy, and right to information, of the patient, and in maintaining transparency and patient trust as critical components of the therapeutic relationship.



AIM

The aim of the report is to consider how AI systems are used in healthcare, having regard to their human rights implications, with a view to developing and strengthening the therapeutic relationship, especially in supporting doctors and, where appropriate, other healthcare professionals in promoting the agency and autonomy of patients, patient welfare, and equitable access to health care.



ACCESS TO THE REPORT

The report is freely available on the Council of Europe human rights and biomedicine website at <https://go.coe.int/cDDGf>. It is available in English and French.



REPORT OUTLINE

The report focuses on selected human rights principles of particular relevance to the 'patient-doctor' relationship, namely:

- ▶ Autonomy (Article 5, Oviedo Convention)
- ▶ Professional standards (Article 4, Oviedo Convention)
- ▶ Self-determination regarding health data (Article 10, Oviedo Convention)
- ▶ Equitable access to health care (Article 3, Oviedo Convention).

The report addresses AI in healthcare, including applications that are used by health care professionals as well as applications that are used by the patients themselves (apps prescribed by a doctor, but also independently used apps such as symptom checkers or health data trackers).



TARGET AUDIENCE

The report is intended for decision makers, health providers, health professionals and patients (including patient associations).





ESSENTIAL ELEMENTS

With the increasing deployment of AI systems in healthcare, it becomes ever more important to explore and understand the role of healthcare professionals in respecting the autonomy, and the right to information of the patient in order to maintain transparency and patient trust, as critical components of the therapeutic relationship.

With focus on the potential implications of AI systems for human rights principles relating to health, namely those referred to in the 'Oviedo Convention', the Steering Committee for Human Rights in the fields of Biomedicine and Health (CDBIO) has prepared a report on the impact of AI on the 'patient-doctor' relationship which underlines *inter alia* the following needs:

- ▶ Fostering trust in professional standards which scrutinise the safety, quality and efficacy of AI systems.
- ▶ Ensuring AI systems (their data and models) are empirically sound and robust, accurate, and their results consistent and reproducible.
- ▶ Addressing biases in AI systems to mitigate the potential for discriminatory access to healthcare affecting people and groups.
- ▶ Safeguarding patient autonomy by making available more information, explanation and transparency than less.
- ▶ Promoting vigilance with patient data, mitigating any inadvertent or otherwise ambiguous data sharing with third parties.
- ▶ Educating and training doctors and other healthcare professionals to adapt to AI systems which guide their actions.