



# **Editor's Note**

---

Dear Readers,



Welcome to the first-ever issue of the University of Maryland, Baltimore County Law Review! As this year's Editor-in-Chief, I am greatly honored to help establish a platform where students can engage in legal discourse, share original scholarship, and contribute to UMBC's growing excellence in social sciences. This inaugural issue is the result of the dedication, collaboration, and hard work of our incredible team. I want to extend my sincerest gratitude to our Managing Editor, Mehak F. Rizvi; Senior Editors Sedat Sefik & Qamrym Askew; Associate Editor Evelyn Pearce; and our website designer, Mohammed Wajahat. Last but not least, I am incredibly grateful to our writers, Anahita Abraham, Audrey Grutzik, Khizar Qazi, Juliana Blakely, Darell Jean-Louis, Priya Giri, Johann Rojas-Monroy, and Aminah Anderson for making this publication a reality.

I am deeply honored to serve as the Managing Editor-in-Chief for the first issue of the UMBC Law Review. In this edition, we are proud to showcase a variety of topics that examine law from many angles. Our writers dive into global issues like human rights, international relations, and criminal justice, as well as constitutional law and personal injury. Moving forward, we warmly welcome submissions on any legal topic, and we hope these pieces spark great conversations and inspire you to write for our future issues.

**Mehak F. Rizvi**  
Managing Editor





# The Role of Artificial Intelligence in Healthcare

Juliana Blakely, Darrel Jean-Louis

## I. ABSTRACT

Artificial intelligence (AI) is an incredibly powerful tool that has the potential to support numerous fields, such as healthcare. This article explores the role of artificial intelligence for healthcare as well as healthcare professionals. We analyze the impacts of using AI in the medical field and assert that, as AI in the healthcare system assists physicians, it can complicate legal matters regarding liability. The article explores several types of AI, how it can be used in healthcare practice, and the potential liabilities that it can cause. Furthermore, the article accounts for the wide and complex nature of incorporating AI into tort law.

## II. INTRODUCTION

Artificial intelligence (AI) technology has been increasingly used by the healthcare industry since early 2023 (Schweikart 2020). In the medical field, AI is commonly referred to as machine learning, which is a subset of AI where technology uses algorithms to find patterns in vast amounts of data. Medically, AI is usually more wholly integrated with the physician and serves as a tool to assist the physician when treating patients. As machine learning can be more convenient for healthcare employees and facilities, it can be difficult to assess liability if and when injury occurs, because AI is part of the healthcare process. This article makes the claim



that Artificial Intelligence, or AI, can be unreliable and should not be used within the healthcare realm.

---

### **III. LEGAL BACKGROUND**

Medical malpractice falls under negligent tort law that serves to compensate individuals harmed by medical practitioners. Medical negligence falls under a category of law known as tort, and specifically, negligent tort law. A tort is “a civil wrong, other than breach of contract, for which a remedy may be obtained, usually in the form of damages”.<sup>1</sup> The tort system is a collection of laws that enable injured persons to seek compensation from a party that caused the injury. Tort law relies heavily on the reasonable person standard to determine whether the defendant’s conduct was negligent. Negligence is defined as “conduct which falls below the standard established by law for the protection of others against unreasonable risk of harm.”<sup>1</sup>

---

### **IV. ANALYSIS**

Medical procedures and practices are advancing faster than we think. It is true, twenty years ago procedures such as surgeries or even treatments weren't given as much aid as they are now. However, conversations have been circulating in the medical field regarding artificial

---

<sup>1</sup> KT Jorstad - Intersection of artificial intelligence and medicine: tort liability in the technological age. *Journal of Medical Artificial Intelligence*, 3. (2020).



intelligence integrated into the medical world. Although this can cause some benefits, such as clarifying confusing methods used in the medical world, or aiding a healthcare provider in making certain decisions. This could cause major consequences; Lushan Jiang, a writer for Pub-Med, considers that AI in healthcare would be beneficial, stating that the advantages would outweigh the disadvantages. “Recent advancements in the field of artificial intelligence have demonstrated success in a variety of clinical tasks secondary to the development and application of big data, supercomputing, sensor networks, brain science, and other technologies. However, no projects can yet be used on a large scale in real clinical practice because of the lack of standardized processes.”<sup>2</sup> Recent advances in artificial intelligence alone are indeed impressive; however, that doesn't necessarily mean we should just integrate it into a complex field such as the medical field. Mr. Jiang's reasoning doesn't necessarily follow. He admits AI cannot yet be used on a large scale in real clinical practice, but still jumps to the conclusion that healthcare use would be beneficial overall. If this is true, at the moment, what exactly is AI benefiting?

The author does use the word “yet”, hence it could be assumed that in the near future, AI will get to a place where it could be used in clinical practices. However, we've seen so many cases where AI is not giving out completely accurate information. Consider the following: ChatGPT, a type of AI platform, whose whole objective is to provide an answer to the user that the user would prefer. Now, imagine a high-tension situation where a patient is actively at risk in the hospital. A nurse enters the room and does not exactly know how to help the patient, so she asks ChatGPT. In that exact instance, if the nurse is asking ChatGPT to give recommendations for what medication or technique she should use to help the patient, it might give her an answer that the nurse prefers instead of a treatment that would work better for the patient's overall satisfaction. This could result in multiple injuries and even a suspension or termination of the



nurse's license. AI can have a place in the medical field as it could aid in discoveries and eventually productively aid healthcare professionals at work with further development. Angelena Bevlay has more to say about this; she mentions that with certain limitations to AI, it could potentially be used in giving additional advice, which, when used properly, could aid a medical professional when making critical decisions. "So what should people do? Agrawal advises using medical chatbots as a first pass, not a final answer. AI can surface useful information, but users should always check the cited sources and rely only on sources they trust<sup>2</sup>. AI could be used to guide people to an answer, but it shouldn't be used as the final answer is something that only healthcare professionals should provide. With years of experience, qualified health care professionals should have a strong intuition that is led by scientific knowledge and facts on how to diagnose/ treat a patient. They should not rely on AI to determine conclusively what procedure or medication is best for a patient without a thorough review of the validity of the AI's recommendation, using scientific research and published medical knowledge. A parallel example best exemplifies this. A lawyer in California was caught using sources that were generated from AI in a trial case. AI, providing the sources to the attorney, did so in a way that the information seemed reliable and accurate. However, upon further investigation, it was determined that all of the sources produced by AI were fake. This resulted in major consequences. A California attorney must pay a \$10,000 fine for filing a state court appeal full of fake quotations generated by the artificial intelligence tool ChatGPT. This legal case demonstrates that AI is not yet at the point where medical professionals can rely on it to always give accurate information, and therefore cannot be completely relied on in the medical field that deals with human lives.

---

<sup>2</sup> Lushun Jiang et al., Opportunities and challenges of artificial intelligence in the medical field: Current application, emerging problems, and problem-solving strategies. Pubmed (2020).



The fine in the abovementioned legal case appears to be the largest issued over AI fabrications by a California court and came with a blistering opinion stating that 21 of 23 quotes from cases cited in the attorney’s opening brief were made up.” This raises a lot of questions. Why would AI lie? Could AI not find sufficient evidence for the user, so it had to fabricate evidence to appeal to the user? These are situations in which someone's life could be on the line, and consequences could be made at the expense of what is assumed to be a convenience.

It could also be deemed that by relying on AI for medical practices, healthcare professionals are violating not only their breach of duty, but also their breach of care. Breach of care refers to the doctor's relationship with the patient, referring to the types of treatment the patient is receiving while under the supervision of the health professional. When this is breached, it's referred to as a breach of duty. This is when a doctor acts negligently and hurts the patient by failing to act within accepted medical practices<sup>3</sup>. The use of artificial intelligence, although allowed in healthcare, is subject to strict regulations regarding it. As of right now, when Artificial Intelligence is used by a healthcare provider during treatment for recommendations for the patient, the doctor could be acting negligently and or recklessly. Although it may not happen, the doctor understands that by using artificial intelligence, a risk could happen, one that could result in the end of someone's life, and the knowledge of this implies negligence. Already, malpractice cases are at an all-time high for doctors’ acting negligently. If a healthcare worker takes AI’s recommendations without further research, they run a high risk of acting negligently. They knew the risk, but ultimately trusted AI, and AI was incorrect; they knowingly put someone’s life at risk.

---

<sup>3</sup> George McCoy, What is Medical Negligence According to Law? Warren Allen LLP (2025).



---

## V. CONCLUSION

All things considered, artificial intelligence has the ability to support the healthcare field, but it should not be trusted as a final decision maker in situations where a person's health or life is on the line. While AI can help organize information and guide professionals towards a suitable answer, its potential for inaccuracy, fabrication, and misuse creates serious legal and ethical concerns, potentially leading to medical malpractice and negligence cases. Because of this, AI should be viewed as a limited tool rather than a substitute for the judgment, training, and responsibility of qualified healthcare professionals.

---

UMBC Undergraduate Law Review  
Volume [01] • Issue [01] • [Spring 2026]

Optional acknowledgments.

This article was prepared for the UMBC Undergraduate Law Review. All errors are the author'(s).