



December 1, 2023

*Dockets Management  
Office of Management and Budget  
5630 Fishers Lane, Rm 1061  
Rockville, MD 20852*

*Submitted electronically via regulations.gov*

Re: Advancing Governance, Innovation, and Risk Management for Agency Use of Artificial Intelligence (FR Doc. 2023–11346)

Dear Sir or Madam:

The Academy of Managed Care Pharmacy (AMCP) thanks the Office of Management and Budget (OMB) for the opportunity to provide comments in response to the draft guidance titled “Advancing Governance, Innovation, and Risk Management for Agency Use of Artificial Intelligence” (Draft Guidance), issued on September 18, 2023.

AMCP is the nation’s leading professional association dedicated to increasing patient access to affordable medicines, improving health outcomes, and ensuring the wise use of healthcare dollars. Through evidence and value-based strategies and practices, AMCP’s nearly 8,000 pharmacists, physicians, nurses, and other practitioners manage medication therapies for the 270 million Americans served by health plans, pharmacy benefit management firms, emerging care models, and government health programs.

AMCP’s strategic priorities include optimizing value and access, addressing health disparities in medication use and access, and enhancing member value.<sup>1</sup> Based upon these priorities, AMCP supports OMB’s efforts to ensure that artificial intelligence (AI) can be safely employed while reducing barriers to innovation. AMCP believes that strengthening AI governance, advancing responsible AI innovation, and mitigating risks from the use of AI are vital in keeping up with advancing technology.

### **Strengthening AI Governance and Advancing Responsible AI Innovation**

AMCP acknowledges the importance of AI’s potential to improve healthcare decision-making and increase efficiency. Given the speed of advancements in technology and the potential for abuse or misuse, it is necessary to get ahead of these changes by implementing standards to mitigate potential risks. Strengthening governance reduces this risk and promotes appropriate use, especially for purposes that may be rights-impacting or safety-impacting.

AMCP recommends that any principles or regulatory frameworks for AI should incorporate the Organization for Economic Co-operation and Development (OECD) Principles on Artificial

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<sup>1</sup> AMCP Strategic Priorities. <https://www.amcp.org/about/about-amcp/amcp-strategic-priorities>



Intelligence<sup>2</sup> and the U.S. Department of Commerce's National Institute of Standards and Technology (NIST) Artificial Intelligence Risk Management Framework.<sup>3</sup> AMCP supports a balance between encouraging innovation and ensuring that sufficient controls are in place to protect against risk.

AMCP is also concerned about ensuring that the use of AI does not contribute to health disparities. For that reason, AMCP encourages OMB to incorporate requirements that any dataset used for rights-impacting or safety-impacting medical decisions include safeguards to ensure that the data includes sufficient representation from medically underserved populations.

AMCP appreciates your consideration of the concerns outlined above and looks forward to continuing work on these issues with OMB. If you have any questions regarding AMCP's comments or would like further information, please contact AMCP's Manager of Regulatory Affairs, Vicky Jucelin, at [vjucelin@amcp.org](mailto:vjucelin@amcp.org) or (571) 858-5320.

Sincerely,

Susan A. Cantrell, MHL, RPh, CAE  
Chief Executive Officer

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<sup>2</sup> Organization for Economic Co-operation and Development (OECD) Principles on Artificial Intelligence. Available at: <https://oecd.ai/en/ai-principles>.

<sup>3</sup> U.S. Department of Commerce's National Institute of Standards and Technology (NIST) Artificial Intelligence Risk Management Framework (AIRMF1.0). Available at: <https://nvlpubs.nist.gov/nistpubs/ai/nist.ai.100-1.pdf>.