TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER EL PASO

Operating Policy and Procedure

HSCEP OP: 56.08, **Acceptable Use of Generative Artificial Intelligence (GenAI) Tools**

PURPOSE: The purpose of this Texas Tech University Health Sciences Center El Paso (TTUHSC El Paso) Operating Policy and Procedure (HSCEP OP) applies to Large Language Models (LLMs) such as text and document creation and similar Artificial Intelligence (AI) tools (e.g., picture, sound and video creation).

REVIEW: This HSCEP OP will be reviewed by March 1 of every odd-numbered year (ONY) by the Artificial Intelligence Advisory Committee (AIAC), Vice President for Academic Affairs, Vice President for Information Technology, Vice President for Research, and Vice President for Clinical Administration with recommendations for revision forwarded to the President by April 1.

POLICY/PROCEDURE:

I.   Allowable Use

A.   LLMs and similar AI tools should be used as decision-support tools and not as decision-making tools, since these models depend on the data used to train them and their training parameters, which might produce AI "hallucination" (when models generate inaccurate, irrelevant, or misleading text, audio, or other media content).

B.   Data that is publicly available or defined as public university information in accordance with [TTUHSC El Paso Data Classification Guidelines](), can be used freely in AI tools for which the University has an approved agreement in place.

All data are to be assigned one of the following four sensitivity levels:

1.   **Public**: Public information is information that has been approved for release to the general public and is freely shareable both internally and externally.

2.   **Internal Use**: Internal Use information is information originated or owned by TTUHSC El Paso, or entrusted to it by others. Internal Use information may be shared with authorized employees, contractors, and business partners who have a business need, but may not be released to the general public, due to the negative impact it might have on the company's business interests.

3.   **Confidential**: Confidential information is highly valuable, sensitive business information and the level of protection is dictated internally by TTUHSC El Paso.

4.   **Restricted/Regulated**: Restricted information is highly valuable, highly sensitive business information and the level of protection is dictated externally by legal and/or contractual requirements. Restricted information must be limited to only authorized employees, contractors, and business partners with a specific business need.

C. Data usage in AI tools

1. If non-public data is used for training, fine-tuning, or prompting in a model, the data must be de-identified and approved by the Chief Data Officer or designee through the SysAid process ensuring compliance with this policy of the AIAC.

2. Users inputting data for training and fine-tuning are encouraged to assess and mitigate biases in the datasets.

D. Outputs from LLMs and similar AI tools should be verified and properly referenced as shown in https://apastyle.apa.org/blog/how-to-cite-chatgpt. The tool must be cited, even when used for research, completion, or proofreading. Furthermore, due to the nature of these models and tools, any output should be cross-referenced and verified by reviewing the links and information provided, and vetting through trusted, peer-reviewed sources or domain-specific experts.

E. Vendor contracts which include LLMs and similar AI tools must be reviewed and must follow the Information Technology Policies and Procedures to address transparency in the usage of data and provide guidelines, safeguards, and compliance standards for security, privacy, and ethical use.

F. Clinical Artificial Intelligence and Machine Learning (AI/ML)-Enabled Medical Devices

1. Food and Drug Administration (FDA) clearance for AI/ML enabled medical devices which are used for patient care is encouraged but not required. Existing institutional policies apply for off-label use or use of non-FDA cleared medical AI/ML enabled medical devices (e.g., patient disclosure, physician liability). Refer to FDA Establishment Registration & Device Listing at https://www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfrl/textsearch.cfm.

2. AI/ML-enabled tools used for patient care should undergo continuous monitoring of output and repeated validation if the model has been retrained or there is evidence of data drift.

II. **Prohibited Use**

A. At present, any use of LLMs (GenAI) or similar AI tools with any university-owned personal, confidential, proprietary, or otherwise sensitive information or data is prohibited, unless a university contract is in place that specifically protects such data from being used, or otherwise isolates such data into a separate instance that is not accessible by parties external to the university (HSCEP OP 56.01, Acceptable Use of Information Technology Resources). In general, student and patient records subject to Family Educational Rights and Privacy Act (FERPA), health information subject to Health Insurance Portability and Accountability Act (HIPAA) security, and federal and state privacy requirements, proprietary information, and any other information classified as Confidential or Regulated university data must not be used with AI tools without an institutionally approved agreement.

B. If LLMs or similar AI Tools are used to generate output that would be available for public use outside of the institutional domain, authorship must be attributed to an institutional employee or student.

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C. Please also note that the companies that own LLMs explicitly forbid the use of the LLMs and their other products for certain categories of activity, including fraud and illegal activities. This list of items can be found in their usage policy. AI tools of any sort may not be used for any activity that would be illegal, fraudulent, or a violation of any state or federal law, or TTUHSC El Paso or Texas Tech University System policies.

III. Personal usage of AI tools

Personal usage of AI tools is acceptable as long as the user is not transmitting, storing, or processing any Texas Tech University Health Sciences Center El Paso regulated data in accordance with TTUHSC El Paso Data Classification Guidelines. Using institutional data without permission is a violation of the acceptable use policy, and violators will be subject to the appropriate sanctions.

IV. Personal Liability

LLMs and other AI tools use click-through agreements. Click-through agreements are contracts. Individuals who accept click-through agreements without delegated signature authority may face personal consequences, including responsibility for compliance with terms and conditions (HSCEP OP 10.11, Delegation of Authority by the President).