ACLU
Idaho

U.S. Congress to Hear Testimony about ACLU Idaho Medicaid Lawsuit

First-ever ACLU congressional testimony on artificial intelligence will highlight secret algorithms used in Idaho government program

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WASHINGTON – Ritchie Eppink, an attorney Of Counsel with the ACLU of Idaho, will testify tomorrow before the United States Senate Committee on Homeland Security and Government Affairs about the harms of automated systems and artificial intelligence (AI) in government decision-making. Eppink was invited by the committee because of his involvement in *K.W. v. Armstrong*, the ACLU Idaho lawsuit challenging cuts to Medicaid support for adults with developmental disabilities based on secret algorithms and formulas used by the Idaho Department of Health and Welfare. In 2016, Idaho's federal district court ruled that the Department's system was unconstitutional. This will be the first time the ACLU, a national civil rights organization, has testified to Congress regarding artificial intelligence.

The ACLU testimony highlights problems with the use of AI and automated systems in government decision-making uncovered in *KW v. Armstrong*, including a lack of transparency concealing government use of automated systems and flaws within those systems. The testimony also emphasizes the need for constitutional and regulatory safeguards via regulation specific to AI and automated systems, and for those impacted by AI decisions to be "integrally involved with the development, implementation, and assessment of those systems." Eppink's written testimony as submitted to the U.S. Senate committee is available [here](#).

"Fairness, due process, and transparency—not government secrecy—are the Idaho values my clients and their families expect," Eppink said. "We've had to fight for them against the Idaho Department of Health and Welfare for over a decade now. I'm encouraged the Senate is taking seriously the dangers of artificial intelligence and

automated systems like these, and I hope the lessons this lawsuit teaches help Congress protect these critical constitutional rights."

What: United States Senate Committee on Homeland Security & Government Affairs hearing on Artificial Intelligence in Government

When: The hearing will begin at 10 AM EDT (8 AM MDT)

Where: The hearing can be viewed on the [Senate Committee on Homeland Security & Government Affairs website](#)

Who: Ritchie Eppink, Of Counsel attorney with the ACLU of Idaho will testify before the committee

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