# The Patient's Right to AI: Can I Request an AI Analysis of My Medical Images?

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## Abstract

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The integration of Artificial Intelligence (AI) into healthcare, particularly medical imaging, has led to a critical question from patients: **Can I request that my medical images be analyzed by an AI?** AI algorithms analyze complex scans—such as X-rays, CTs, and MRIs—with speed and precision [1]. However, the answer is complex, residing at the intersection of clinical practice, regulatory oversight, and evolving patient rights.

## I. The Current Role of AI in Medical Imaging

AI in medical imaging is currently deployed as a sophisticated **clinical decision support tool**, not a standalone diagnostic service. These systems excel at tasks like image segmentation, identifying subtle patterns, and prioritizing (triage) urgent cases for human radiologists [2]. For instance, AI can rapidly flag potential lesions or identify early signs of stroke, improving workflow efficiency [3]. The AI’s output is not the final diagnosis; it functions as an assistant to the physician, who retains the ultimate responsibility for interpreting the images and integrating the nuanced context of a patient’s history and other clinical data into the final medical judgment.

## II. Regulatory and Clinical Gatekeepers

The ability to request an AI analysis is constrained by the technology's regulatory status. The Food and Drug Administration (FDA) in the U.S. and the Medical Device Regulation (MDR) in Europe regulate AI for diagnostics as **Software as a Medical Device (SaMD)**, requiring rigorous approval (e.g., CE mark) to ensure safety and effectiveness [4]. Only AI models that have successfully navigated this regulatory pathway and are integrated into a certified clinical workflow can be used. The physician acts as the necessary gatekeeper, ensuring that any technology used in diagnosis is legally compliant and clinically appropriate, preventing the use of unapproved or consumer-grade AI applications for complex medical images.

## III. Patient Autonomy and the Right to Request

Patient rights, such as the right to access medical records (e.g., HIPAA, GDPR), are established. However, the right to **dictate** the specific diagnostic tools used is ambiguous. While patients have a right to informed consent and shared decision-making, the physician maintains the professional prerogative to determine the most appropriate diagnostic methods [5]. When a patient requests an AI analysis, the physician must engage in a transparent discussion. If an approved AI tool is already standard for that image type, the request is already being met. If the request is for a non-standard or experimental AI, the physician must weigh the benefits against risks, including lack of regulatory approval and ethical implications [6]. The legal landscape is also evolving to include the **"right to explanation,"** ensuring the patient's right to understand how an AI-driven diagnosis was reached, promoting transparency over a "black box" process.

## IV. Navigating the Future of Patient-Driven AI

The desire for a second opinion or advanced analysis is understandable. While direct-to-consumer AI exists for simple checks, complex medical imaging remains firmly within the clinical domain. The future may involve patient-facing interfaces for secure submission to approved AI services, but these will always be tethered to a licensed medical professional for final validation. As the regulatory and ethical landscape continues to evolve, understanding the nuances of AI's integration into clinical practice is paramount. For more in-depth analysis on this topic, the resources at **www.rasitdinc.com** provide expert commentary on digital health, the future of medical technology, and the ethical considerations shaping patient care.

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## *References*

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