

A.I. for Medicare Requires a Change in Medical Device Regulation

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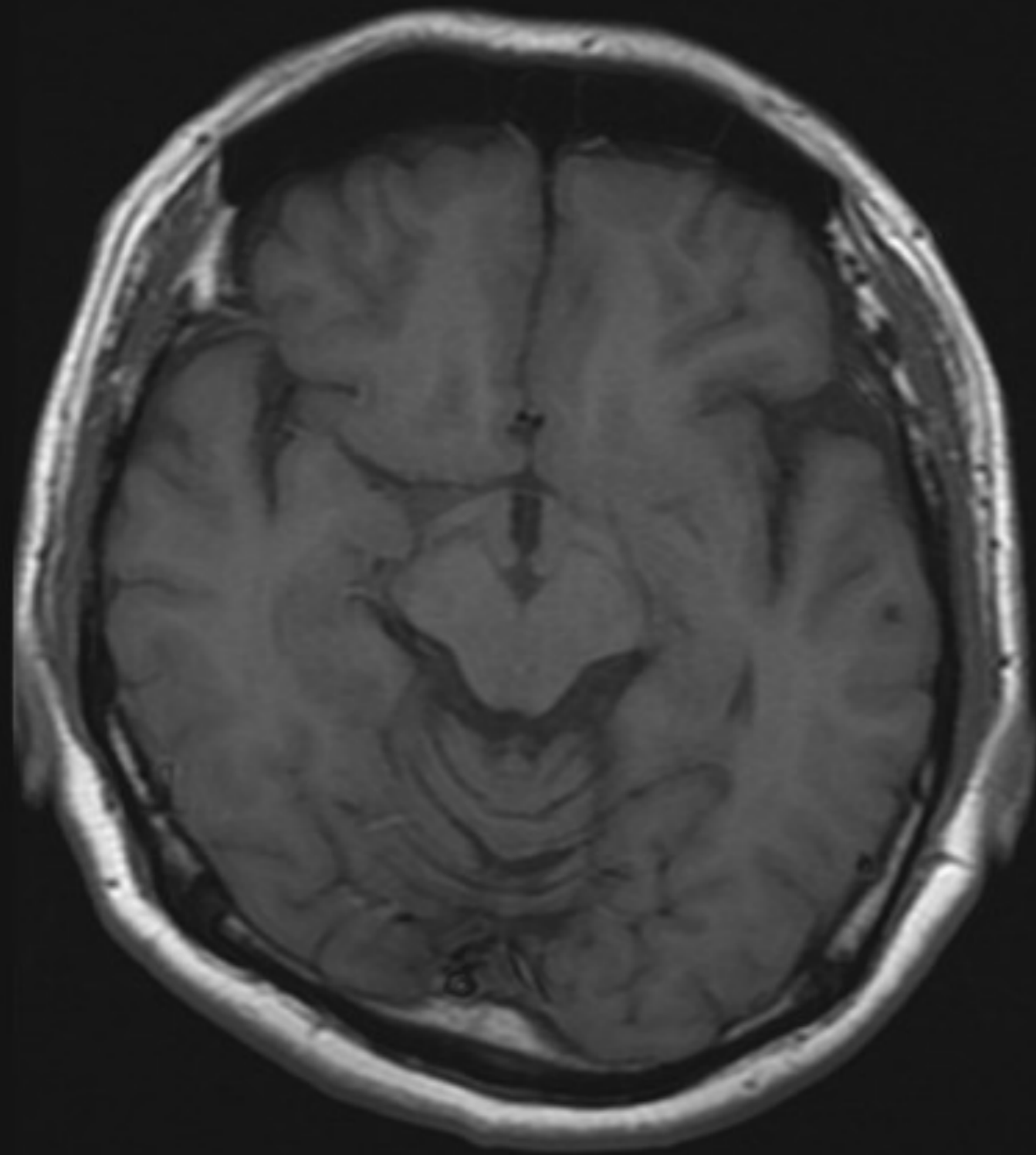
January 10, 2018 at Kyushu University



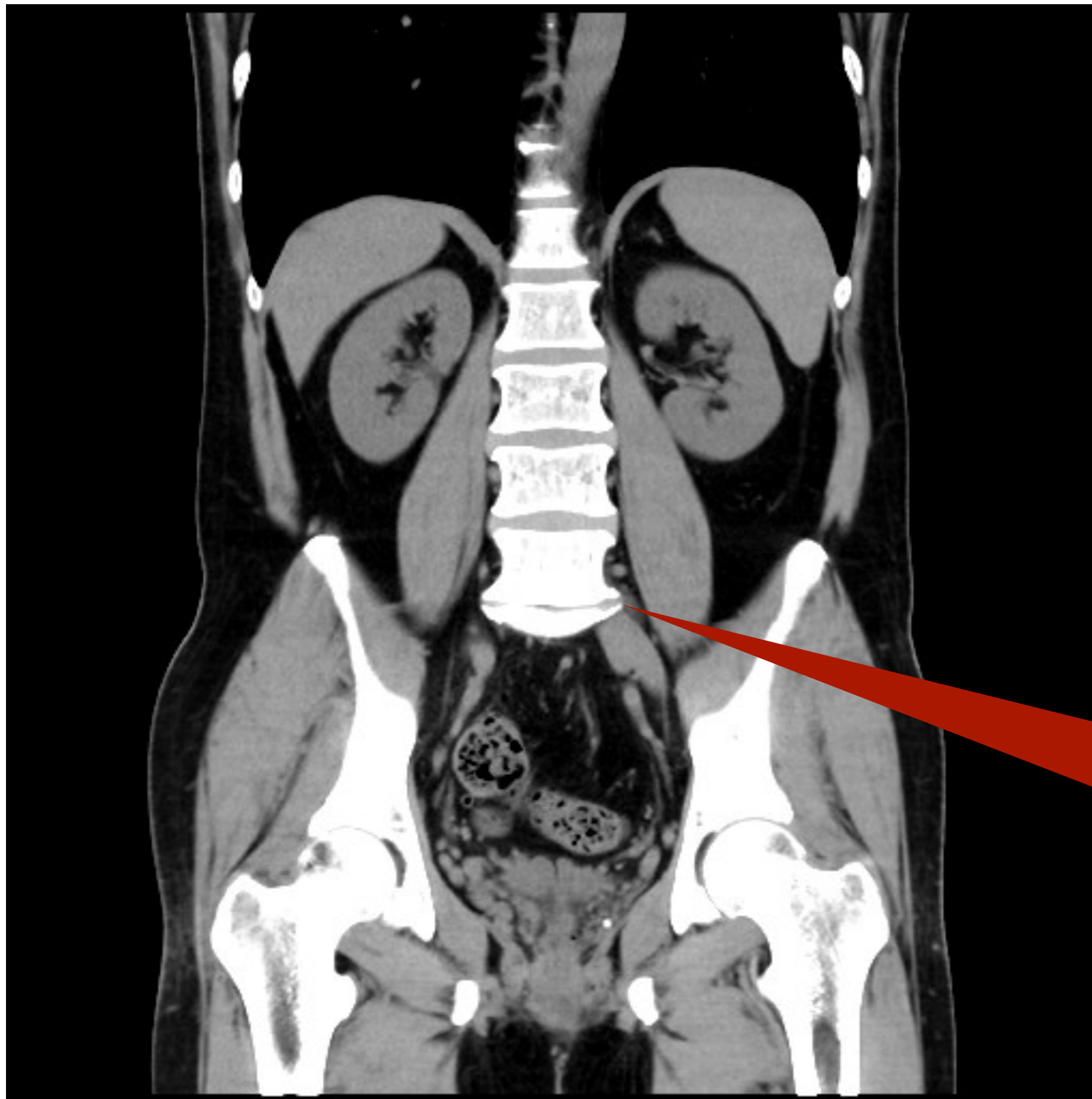
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(MR image)
No trace of
brain infarct



**(CT image)
Worn cartilage
- a cause of
back pain**

The Role of Artificial Intelligence in Medical Care.



- A.I. helps physicians to conduct diagnosis based on ...
 - Dialogue with patients
 - Symptoms of patients
 - Vital data of patients
 - Biopsy data of patients
 - Past medical and/or health data of patients
 - Medical image of patients, etc.

Value-based care

Enable effective care

Gain a more complete comprehensive view of the person.

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Support better-informed, more effective patient care, health plans, wellness programs, and value dossiers by looking at a comprehensive view of the factors that influence a person's health -including socioeconomic status, environment, social support and access to health care.

[Talk to an expert](#)

Benefits



Point-of-care decision support



Evidence-based care standards



Quality Improvement Programs:
patient safety



Care variability reduction program



Team based care methodology and
implementation support

- <https://www.ibm.com/watson/health/value-based-care/enable-effective-care/>

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Moreno Barriga E, Pueyo Ferrer I, Sánchez Sánchez M, Martín Baranera M, Masip Utset J.
Emergencias. 2017 Dec;28(6):381-398. Spanish.
PMID: 29188913
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Robertson S, Azizpour H, Smith K, Hartman J.
Transl Res. 2017 Nov 7. pii: S1931-5244(17)30295-5. doi: 10.1016/j.trsl.2017.10.010. [Epub ahead of print] Review.
PMID: 29175265
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3. [Artificial Intelligence for Everyone.](#)
Gambus P, Shafer SL.
Anesthesiology. 2017 Nov 22. doi: 10.1097/ALN.0000000000001984. [Epub ahead of print] No abstract available.
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Mayo RC, Leung J.
Clin Imaging. 2017 Nov 18;49:67-68. doi: 10.1016/j.clinimag.2017.11.007. [Epub ahead of print] Review.
PMID: 29161580
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5. [Guest Editorial: Discovery and Artificial Intelligence.](#)
King BF Jr.
AJR Am J Roentgenol. 2017 Dec;209(6):1189-1190. doi: 10.2214/AJR.17.19178. No abstract available.
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6. [From Images to Actions: Opportunities for Artificial Intelligence in Radiology.](#)
Kahn CE Jr.
Radiology. 2017 Dec;285(3):719-720. doi: 10.1148/radiol.2017171734. No abstract available.
PMID: 29155645
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7. [Cognitive computing and eScience in health and life science research: artificial intelligence and obesity intervention programs.](#)

- <https://www.ncbi.nlm.nih.gov/pubmed/?cmd=HistorySearch&querykey=2>

The Purpose of Medical Device Regulation.



- Here, I refer to **The Law on Securing Quality, Efficacy and Safety of Products Including Pharmaceuticals and Medical devices** of Japan (Law No. 145 of 1960, as amended, often abbreviated as “Yakki-ho” in Japanese).
- “Yak” denotes pharmaceuticals.
- “Ki” denotes medical devices.

Article I (Purpose of This Law) of “Yakki-ho”

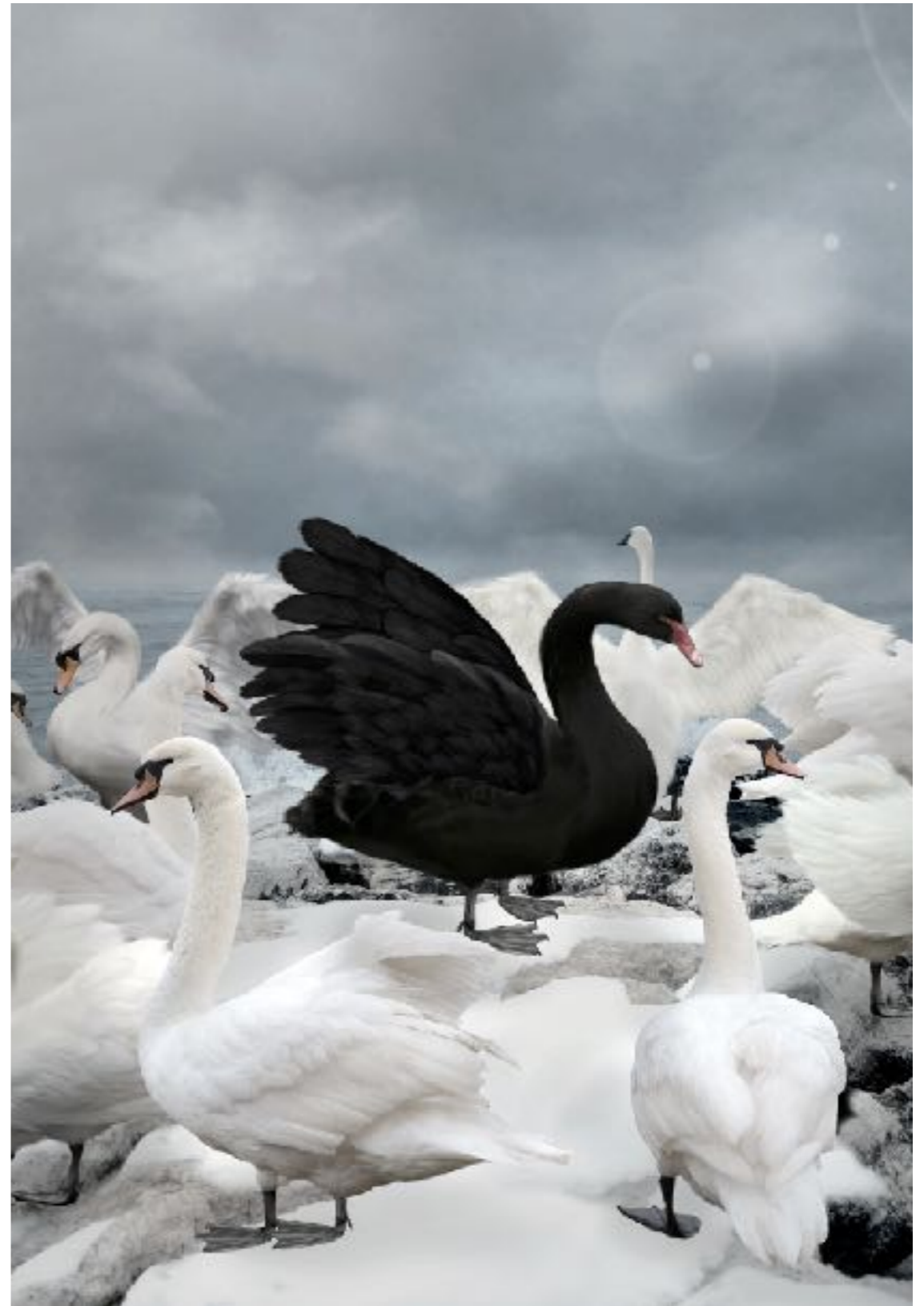
- The purpose of this Law is **to secure** the quality, efficacy and **safety** of pharmaceuticals, quasi-drugs, cosmetics, **medical devices**, regenerative medicine products (hereinafter referred to as "pharmaceuticals"), **to provide the control required for preventing the occurrence or spread of hazards to public health and hygiene caused by the use of such pharmaceuticals**, to take measures against designated substances, and to improve public health and hygiene by taking necessary measures for the promotion of research and development of pharmaceuticals, medical devices and regenerative medicine products which are especially important for medical practice.

- In many jurisdictions, the production and marketing of medical devices is subject to the requirement of giving notice to the government, accreditation by the government or legally certified institution, approval of the government, etc.
 - See e.g., The Global Harmonization Task Force (GHTF) of the International Medical Device Regulation Forum (IMDRF).
 - <http://www.imdrf.org/gh tf/gh tf-archives.asp>
- These regulations seek to warrant that medical devices are safe and harmless at the time of their delivery to hospitals and clinics.

GHTF Classification	Class I	Class II	Class III	Class IV
Risk	Extremely low risk	Low risk	Medium risk	High risk
Example	X-Ray film	MRI, digestive catheters	Artificial bones, dialyzer	pacemaker, artificial heart valves
Regulation under “Yakki-ho”	Self declaration to the Minister	Third party certification		Minister’s approval

See e.g., <https://www.pmda.go.jp/review-services/drug-reviews/about-reviews/devices/0013.html>

An Essential Difference between A.I. for Medical Care and Conventional Medical Device.



	A.I. for Medical Care	Conventional Medical Devices
The conditions upon delivery to hospitals and clinics	The capability of A.I. is limited by the knowledge base that A.I. has already learned.	Perfect conditions are expected.
Change over time	Adequate continuous learning is likely to make A.I. increasingly useful.	Simply deteriorating.
	Inadequate or lack of learning is likely to make the capability of A.I. deteriorate.	
Warranties and maintenance	Continuous learning using a national knowledge base can be provided by the vendor.	The vendors provides limited-time warranty and, if appropriate, continuous maintenance.
	Hospitals and clinics themselves are responsible for the learning based on inhouse or local EHRs.	

Diagnostic Process is
Often Highly Dependent on
Patient's Social Context.



Hospitals and clinics themselves are
responsible for the learning based on
inhouse or local EHRs.



PATIENT

Mr. B is a previously healthy 70-year-old man who underwent right upper lobectomy for localized squamous cell lung cancer 5 days ago. On morning rounds, he comments that he is in a military barracks and that he is ready to go home.

- An example of delirium or dementia shown in a book edited and published **in the U.S.**
 - Scott D.C. Stern, et.al. “Symptom to Diagnosis - An Evidence Based Guide” 3rd ed., Lange Medical Books, Kindle, 9896/30871.



The patient, who was a public prosecutor in Japan, insisted that he had been arrested and was in a police car, although he was actually being raced to hospital in an ambulance.

- My personal experience of delirium or dementia of **an ex-public prosecutor in Japan.**

Some Hospitals Ensure that A.I.
Keeps Learning Adequately, while
Others Not.



How Can We Redesign Medical
Device Regulation?

Who Should be Responsible for
Ensuring that A.I. Keeps
Learning?



- Social monitoring of A.I. for medical care?
- Mutual monitoring between A.I.s?
- Or, otherwise?

Thank you.



Acknowledgements

This work constitutes a part of the joint research project “Actualize Energetic Life by Creating Brain Information Industries,” which is funded by the ImPACT Program of the Council for Science, Technology and Innovation (Cabinet Office, Government of Japan) (<http://www.jst.go.jp/impact/en/program/11.html>), and seeks to derive knowledge about human brain, for application in industry, by analyzing big data on the human brain, including brain images collected from a considerable number of examinees.