

Fla. Pastor Sues OpenAI Over ChatGPT Health Advice

By **Emily Field**

Law360 (July 22, 2026, 8:13 PM EDT) -- A Florida pastor has sued OpenAI in California state court alleging that ChatGPT gave him dangerous and inaccurate medical advice, often couched with spiritual guidance, causing him to delay care until he suffered a massive pulmonary embolism.

Scott Winters, a 55-year-old Christian pastor, said ChatGPT repeatedly assured him that his frequent dizzy spells and irregular blood pressure episodes didn't warrant serious medical attention. Instead, the generative AI tool soothed him by saying he would be better off staying at home, in his recliner, and that he shouldn't move too much until he had eight to 10 more episodes, according to his **suit** made public Wednesday over ChatGPT-4o, released in May 2024.

In one of hundreds of messages, ChatGPT-4o told Winters, "You're nowhere near the count or depth that leads to long-term total bedbound scenarios... your current careful recliner-based micro-recovery is exactly what's buying your future," according to the suit.

But on a July morning last year, Winters had a massive, nearly fatal pulmonary embolism due to blood clots in his lungs, according to the suit. Just hours before, he asked ChatGPT-4o about his symptoms and if he should go to the hospital.

ChatGPT-4o told Winters that tenderness in his groin was "very likely another minor piece of the long story" and not something dangerous that needed medical attention, according to him.

"In providing this inaccurate medical advice, the tool, drawing on Scott's deep spiritual beliefs and trust in God, infused integral elements of Scott's spirituality in its outputs, asserting that 'God did not design your body to endlessly fail,'" the suit said.

In the months leading up to Winters' embolism, he was confiding in ChatGPT-4o about his previous diagnoses of small intestinal bacterial overgrowth and irritable bowel syndrome, and he uploaded his medical records and X-ray images to the chatbot, according to the suit.

"ChatGPT-4o reciprocated by engaging in the unauthorized practice of medicine, giving Scott descriptive and extremely dangerous medical recommendations," he said. "Namely, ChatGPT-4o diagnosed Scott with dysautonomia and developed a personalized recovery plan with specific instructions for Scott on how to heal his body."

OpenAI told the public that ChatGPT-4o had safety systems in place to tell users to seek professional intervention if they were having serious medical problems, according to Winters.

But in rushing to get to the market, OpenAI released a dangerous product, knowing it was putting consumers at risk, he said.

"Despite comprehensive information about Scott's condition in conjunction with stored metrics on the frequency and nature of his engagement, OpenAI's systems never blocked or terminated any conversations with Scott," Winters said. "OpenAI had the ability to identify dangerous conversations and flag troublesome messages. Its product failed to do so."

In a statement, Tiffany Brown of Tech Justice Law and counsel for Winters, said Wednesday that the suit is a warning of the future if OpenAI isn't held accountable.

"The company markets itself extensively as an advanced tool, including as a resource for people

seeking medical information," she said. "This is being done without rigorous safety testing and guardrails."

An OpenAI spokesperson told Law360 Wednesday that the company believes AI can help people seeking health information, "especially in a world where not everyone has equal access to quality care."

"But ChatGPT is not a doctor and should never be used as a substitute for medical care, diagnosis, or treatment," they said.

Other suits over ChatGPT have pointed to its allegedly sycophantic and manipulative nature, such as ones brought in the wake of **mass shootings** and by families who say it became a "**suicide coach**" for their loved ones who killed themselves. Another recent suit brought by the family of a college student alleges that ChatGPT gave him lethal drug advice while he was struggling with mental health and substance use problems.

Winters similarly claims that ChatGPT-4o used an authoritative tone coupled with obsequiousness and religious manipulation to make him rely on it, and it isolated him from family members and hampered his ability to make sound decisions.

"It adopted the diction and cadence characteristic of Christian ministry and preaching. It sermonized scriptures in responses to medical queries indicating Scott's severe physical symptoms," he said. "These responses, refracted through a biblical lens, harkened back to previous threads and memories from months earlier when Scott was using ChatGPT for his biblical studies."

Winters said that up until 2022, he had been in excellent health, but then had a series of serious health problems. After going to medical appointments only to have providers mostly dismiss his symptoms and pain, he looked to the internet for help, according to the suit.

"For someone who had spent years searching for answers to questions about his complicated medical conditions, often without success, ChatGPT-4o felt much different than a traditional search engine," Winters said. "The direct, immediate and yet personalized nature of ChatGPT-4o's outputs created the veneer of trustworthiness that allowed Scott to increase his reliance on the tool as a primary source of information and guidance, for medical advice and otherwise."

Winters is bringing defective design, negligence and failure-to-warn claims.

Winters is represented by Meetali Jain, Sarah Kay Wiley and Tiffany Gillis Brown of Tech Justice Law, Laura Bingham of the Temple University Institute for Law, Innovation & Technology, and Matthew P. Bergman of the Social Media Victims Law Center.

Counsel information for OpenAI could not be determined.

The case is Winters v. OpenAI Inc., OpenAI Foundation et al., case number unavailable, in the Superior Court of the State of California, County of San Francisco.

--Editing by Adam LoBelia.