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LC004667
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

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A N A C T

RELATING TO BUSINESSES AND PROFESSIONS - BOARD OF MEDICAL LICENSURE
AND DISCIPLINE

Introduced By: Representatives Ajello, Corvese, Kazarian, Naughton, and Messier

Date Introduced: February 11, 2016

Referred To: House Corporations

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 5-37 of the General Laws entitled "Board of Medical Licensure and
2 Discipline" is hereby amended by adding thereto the following section:

3 **5-37-33. Restrictive covenants.** – (a) Any contract or agreement which creates or
4 establishes the terms of a partnership, employment, or any other form of professional relationship
5 with a physician licensed to practice medicine pursuant to this chapter which includes any
6 restriction of the right of such physician to practice medicine shall be void and unenforceable
7 with respect to said restriction; provided, however, that nothing herein shall render void or
8 unenforceable the remaining provisions of any such contract or agreement.

9 (b) Restrictions rendered void under subsection (a) of this section shall include, but shall
10 not be limited to, the following:

11 (1) The right to practice medicine in any geographic area for any period of time after the
12 termination of such partnership, employment, or professional relationship; and

13 (2) The right of such physician to provide treatment, advise, consult with, or establish a
14 physician/patient relationship, with any current patient of the employer; and

15 (3) The right of such physician to solicit or seek to establish a physician/patient
16 relationship with any current patient of the employer; provided, however, that such restriction
17 shall be enforceable within the first five (5) years of employment.

1 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO BUSINESSES AND PROFESSIONS - BOARD OF MEDICAL LICENSURE
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- 1 This act would render restrictive covenants in employment agreements with physicians
- 2 void and unenforceable.
- 3 This act would take effect upon passage.

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