

**2015 -- H 5379 SUBSTITUTE A**

=====  
LC000711/SUB A  
=====

**STATE OF RHODE ISLAND**

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2015**

—————  
A N A C T

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

Introduced By: Representatives Ajello, and Corvese

Date Introduced: February 11, 2015

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 that exceeds a five (5) years period  
7 of time shall be void and unenforceable with respect to said restriction; provided, however, that  
8 nothing herein shall render void or unenforceable the remaining provisions of any such contract  
9 or agreement.

10           (b) Restrictions rendered void under subsection (a) herein shall include, but shall not be  
11 limited to, the following:

12           (1) The right to practice medicine in any geographic area for any period of time after five  
13 (5) years from the date of termination of such partnership, employment, or professional  
14 relationship; and

15           (2) The right of such physician to provide treatment, advise, consult with, establish, or  
16 seek to establish a physician/patient relationship, with any current patient of the employer;  
17 provided, however, that such contract or agreement may contain such restriction within the first  
18 five (5) years of employment.

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

=====  
LC000711/SUB A  
=====

EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

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

\*\*\*

- 1           This act would render restrictive covenants in employment agreements with physicians,
- 2           that exceed a five (5) years period of time, void and unenforceable.
- 3           This act would take effect upon passage.

=====  
LC000711/SUB A  
=====