

2020 Regular Session

SENATE BILL NO. 142

BY SENATOR MORRIS

PHYSICIANS. Prohibits certain restrictive agreements as to the practice of medicine.  
(8/1/20)

1 AN ACT  
2 To enact R.S. 37:1303, relative to the practice of medicine; to prohibit certain agreements  
3 restricting the practice of medicine by a primary care physician or a physician  
4 specialist; to provide for the effect of agreements; and to provide for related matters.  
5 Be it enacted by the Legislature of Louisiana:  
6 Section 1. R.S. 37:1303 is hereby enacted to read as follows:  
7 **§1303. Restraint of the practice of medicine prohibited**  
8 **A.(1) Beginning on January 1, 2023, no contract, agreement, or provision**  
9 **of a contract or agreement shall restrict any primary care physician from the**  
10 **practice of medicine.**  
11 **(2) Beginning on January 1, 2025, no contract, agreement, or provision**  
12 **of a contract or agreement shall restrict any physician specialist from the**  
13 **practice of medicine.**  
14 **(3) Any contract, agreement, or provision of a contract or agreement**  
15 **executed in violating of the provisions of this Subsection shall be null, void, and**  
16 **unenforceable.**  
17 **B. As used in this Section, the following phrases shall have the following**

- 1            **meanings:**
- 2                    **(1) "Primary care physician" means any physician engaged in the**
- 3                    **practice of family medicine, general internal medicine, psychology, general**
- 4                    **pediatrics, obstetrics, and gynecology.**
- 5                    **(2) "Physician specialist" means any physician practicing a speciality**
- 6                    **which is not in the practice of family medicine, general internal medicine,**
- 7                    **psychology, general pediatrics, obstetrics, and gynecology.**

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Thomas L. Tyler.

	DIGEST	
SB 142 Original	2020 Regular Session	Morris

Proposed law, beginning January 1, 2023, prohibits execution of a contract, agreement, or provision of a contract or agreement which restricts a primary care physician from the practice of medicine.

Proposed law defines a "primary care physician" shall mean any physician engaged in the practice of family medicine, general internal medicine, psychology, general pediatrics, obstetrics, and gynecology.

Proposed law, beginning January 1, 2025, prohibits execution of a contract, agreement, or provision of a contract or agreement which restricts a physician specialist from the practice of medicine.

Proposed law defines a "physician specialist" as any physician practicing in a speciality which is not the practice of family medicine, general internal medicine, psychology, general pediatrics, obstetrics, and gynecology.

Proposed law provides that any contract, agreement, or provision of a contract or agreement executed in violation of proposed law is null, void, and unenforceable.

Effective August 1, 2020.

(Adds R.S. 37:1303)