

HOUSE BILL NO. 2206

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE CURTIS.

5680H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapters 197 and 334, RSMo, by adding thereto two new sections relating to nonprofit hospitals.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapters 197 and 334, RSMo, are amended by adding thereto two new sections, to be known as sections 197.770 and 334.113, to read as follows:

2 **197.770. 1. No hospital or clinic operated by a hospital providing services in a**
3 **federally designated health professional shortage area (HPSA), including areas with**
4 **shortages of primary care, dental, or mental health providers, as of the effective date of this**
5 **section shall cease providing such services.**

6 **2. Any hospital that provided services in a federally designated HPSA, including**
7 **areas with shortages of primary care, dental, or mental health providers, and that ceased**
8 **providing such services or any hospital that operated a clinic that provided services in such**
9 **area that ceased providing such services on or after August 28, 2006, shall be required to**
10 **establish and operate a primary care clinic in such area to be available twenty-four hours**
11 **per day.**

12 **334.113. 1. As used in this section, the term “covenant not to compete” means an**
13 **agreement or part of a contract of employment in which the covenantee agrees to refrain**
14 **from competition with the convenantor for a specific period of time and within a particular**
15 **geographic area.**

16 **2. No covenant not to compete shall be enforceable if it is ancillary to or part of an**
17 **otherwise enforceable agreement with a nonprofit hospital organized under the laws of this**
18 **state.**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

8 **3. The provisions of this section shall apply to any covenant entered into on or after**
9 **August 28, 2016.**

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