68th Legislature 2023 SB 451.1

1		SENATE BILL NO. 451	
2		INTRODUCED BY J. SMALL	
3			
4	A BILL FOR A	N ACT ENTITLED: "AN ACT GENERALLY REVISING HEALTH CARE CONTRACT LAWS;	
5	PROHIBITING	CONTRACTS THAT RESTRICT PRACTICE FOR CERTAIN HEALTH CARE PROVIDERS;	
6	AND PROVIDI	NG AN IMMEDIATE EFFECTIVE DATE."	
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8	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:		
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10	NEW S	SECTION. Section 1. Prohibition of contracts that restrict practice applicability	
11	exceptions. (1) A contract that creates or establishes the terms of employment, a partnership, or any other	
12	form of professional relationship with a health care provider described in subsection (2), may not restrict the		
13	right of the health care provider to:		
14	(a)	practice or provide services for which the provider is licensed, in any geographic area and for	
15	any period, aft	er the termination of the employment, partnership, or other form of professional relationship;	
16	(b)	treat, advise, consult with, or establish a provider-patient relationship with any current patient of	
17	the employer or with a patient affiliated with a partnership or other form of professional relationship; or		
18	(c)	solicit or seek to establish a provider-patient relationship with any current patient of the	
19	employer or with a patient affiliated with a partnership or other form of professional relationship.		
20	(2)	The requirements of subsection (1) apply to contracts or agreements involving the following	
21	health care providers:		
22	(a)	a psychiatrist or addiction medicine physician licensed under Title 37, chapter 3;	
23	(b)	a psychologist licensed under Title 37, chapter 17;	
24	(c)	a social worker licensed under Title 37, chapter 22;	
25	(d)	a professional counselor licensed under Title 37, chapter 23;	
26	(e)	an addiction counselor licensed under Title 37, chapter 35;	
27	(f)	a marriage and family therapist licensed under Title 37, chapter 37; and	
28	(g)	a behavioral health peer support specialist licensed under Title 37, chapter 38.	



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1	(3) This section does not apply to a contract in connection with the sale and purchase of a
2	practice.
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4	NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an
5	integral part of Title 28, chapter 2, part 7, and the provisions of Title 28, chapter 2, part 7, apply to [section 1].
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7	NEW SECTION. Section 3. Effective date. [This act] is effective on passage and approval.
3	- END -

