

2015 -- H 5379

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

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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 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) herein shall include, but shall not be  
10 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, establish, or  
14 seek to establish a physician/patient relationship, with any current patient of the employer;  
15 provided, however, that such contract or agreement may contain such restriction within the first  
16 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

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

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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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