SLS 19RS-2881 **ORIGINAL**

2019 Regular Session

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SENATE CONCURRENT RESOLUTION NO. 134

BY SENATOR CLAITOR

HEALTH CARE. Requests the Louisiana Department of Health to convene the Task Force on Protecting Patient Choice.

A CONCURRENT RESOLUTION

2	To urge and request the Louisiana Department of Health to convene the Task Force on
3	Protecting Patient Choice to study the health outcome and economic impact of
4	physician noncompete agreements on patients, families, and communities.
5	WHEREAS, as a matter of public policy, Louisiana has demonstrated a long-held
6	position against noncompete agreements; and
7	WHEREAS, noncompete agreements prohibit an individual from competing in a
8	designated geographical area for a specified period of time; and
9	WHEREAS, noncompete agreements are enforceable against physicians; and
10	WHEREAS, enforcement of noncompete agreements relative to physicians may limit
11	the freedom of patients to choose their treating physician; and
12	WHEREAS, noncompete agreements exacerbate physician shortages in many
13	Louisiana parishes; and
14	WHEREAS, according to the 2018 American Medical Association economic impact
15	study, physicians bring economic prosperity to our communities through more than one
16	hundred thousand jobs, more than nineteen million dollars in economic activity, more than
17	six hundred million dollars in state and local tax revenue, and nearly nine billion dollars in
18	wages and benefits, all of which can be stifled by noncompete agreements.

l	THER	EFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby	
2	request the Louisiana Department of Health to convene the Task Force on Protecting Patient		
3	Choice to study the health outcome and economic impact of physician noncompete		
4	agreements on patients, families, and communities.		
5	BE IT FURTHER RESOLVED that the task force shall be comprised of the		
6	following seventeen members:		
7	(1)	The secretary of the Louisiana Department of Health or his designee.	
8	(2)	Two members appointed by the Louisiana Hospital Association.	
9	(3)	Two members appointed by the Louisiana Rural Hospital Association.	
10	(4)	Two members appointed by the Louisiana State Medical Society.	
11	(5)	One member appointed by the Louisiana Academy of Family Physicians.	
12	(6)	One member appointed by the Louisiana Chapter of the American Academy	
13		of Pediatrics.	
14	(7)	One member appointed by Our Lady of the Lake Regional Medical Center.	
15	(8)	One member appointed by the Louisiana State Bar Association and Louisiana	
16		State Medical Society Joint Medical Legal Interprofessional Committee.	
17	(9)	One member appointed by the Louisiana Academy of Physician Assistants.	
18	(10)	One member appointed by the Louisiana Association of Nurse Practitioners.	
19	(11)	One member appointed by the president of the Senate.	
20	(12)	One member appointed by the speaker of the House of Representatives.	
21	(13)	One member appointed by the chairman of the Senate Committee on	
22		Commerce, Consumer Protection and International Affairs.	
23	(14)	One member appointed by the chairman of the House Committee on	
24		Commerce.	
25	BE IT	FURTHER RESOLVED that the Louisiana Department of Health shall	
26	provide staff support to the task force.		
27	BE IT	FURTHER RESOLVED that the members of the task force shall serve	
28	without compensation, except per diem or expense reimbursement that they may be		
29	individually en	ntitled to by their respective organization.	

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BE IT FURTHER RESOLVED that a majority of the total membership shall

SLS 19RS-2881 ORIGINAL SCR NO. 134

constitute a quorum of the task force, and any official action by the task force shall require an affirmative vote of a majority of the quorum present and voting.

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SCR 134 Original

BE IT FURTHER RESOLVED that the secretary of the Louisiana Department of Health shall call the first meeting of the task force on or before August 1, 2019, at which the task force shall elect a chairman and other officers as it considers necessary.

BE IT FURTHER RESOLVED that the task force shall meet as often as is necessary to fulfill its mission and shall issue a report to the legislature of its findings and recommendations, including proposed legislation, on or before January 1, 2020, at which time the task force shall terminate.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the secretary of the Louisiana Department of Health, the executive director of the Louisiana Hospital Association, the executive director of the Louisiana Rural Hospital Association, the executive director of the Louisiana State Medical Society, the executive director of the Louisiana Academy of Family Physicians, the executive director of the Louisiana Chapter of the American Academy of Pediatrics, the chief executive officer of Our Lady of the Lake Regional Medical Center, the president of the Louisiana State Bar Association, the executive director of the Louisiana Academy of Physician Assistants, and the executive director of the Louisiana Association of Nurse Practitioners.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Christine Arbo Peck.

DIGEST 2019 Regular Session

Claitor

Requests the Louisiana Department of Health to convene the Task Force on Protecting Patient Choice to study the health outcome and economic impact of noncompete agreements utilized in contracts of certain healthcare professions on patients, families, and communities.

Requires the first meeting of the task force to be convened on or before August 1, 2019.

Requires a report to the legislature of its findings and recommendations, including proposed legislation, on or before January 1, 2020.