

2024 Regular Session

HOUSE BILL NO. 76

BY REPRESENTATIVE ECHOLS

PHYSICIANS: Prohibits the restraint of the practice of medicine in contracts or agreements

1 AN ACT

2 To enact R.S. 23:922, relative to employment contracts; to provide for employment or
3 independent contractor agreements; to prohibit the enforceability of certain contracts
4 or agreements in the practice of medicine; to provide for definitions; and to provide
5 for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 23:922 is hereby enacted to read as follows:

8 §922. Restraint on the practice of medicine prohibited

9 A. Notwithstanding any provision of law to the contrary, no contract,
10 agreement, or provision thereof that restricts a physician from the practice of
11 medicine following the termination of any employment or independent contractor
12 agreement shall be enforceable.

13 B. Any such enforceable contract, agreement, or provision that restricts
14 practice thereof shall be in effect only for the period that the physician is under the
15 contract of employment or independent contractor agreement.

16 C. For purposes of this Section, "physician" has the same meaning as
17 provided for in R.S. 37:1262.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 76 Engrossed

2024 Regular Session

Echols

Abstract: Provides relative to the prohibition against the practice of medicine following the termination of employment or an independent contractor agreement.

Proposed law prohibits any contract, agreement, or provision that restricts a physician from the practice of medicine following the termination of any employment or independent contractor agreement.

Proposed law provides that an enforceable contract, agreement, or a provision that restricts the practice of medicine shall be in effect only for the period that the physician is under the contract of employment or independent contractor agreement.

Proposed law provides that "physician" means a natural person who is the holder of an allopathic (M.D.) degree or an osteopathic (D.O.) degree from a medical college in good standing with the board who holds a license, permit, certification, or registration issued by the board to engage in the practice of medicine in the state of Louisiana.

(Adds R.S. 23:922)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Labor and Industrial Relations to the original bill:

1. Provide that an enforceable contract, agreement, or a provision that restricts the practice of medicine is only effective for the period that the physician is under the contract of employment or independent contractor agreement.
2. Make technical changes.