
HOUSE COMMITTEE AMENDMENTS

2024 Regular Session

Amendments proposed by House Committee on Health and Welfare to Reengrossed Senate Bill No. 165 by Senator McMath

1 AMENDMENT NO. 1

2 On page 1, line 2, after "R.S. 23:921(M)," and before "relative" insert "(N), and (O),"

3 AMENDMENT NO. 2

4 On page 1, line 7, change "R.S. 23:921(M) is" to "R.S. 23:921(M), (N), and (O) are"

5 AMENDMENT NO. 3

6 On page 1, line 15, change "**three year**" to "**three-year**"

7 AMENDMENT NO. 4

8 On page 2, line 1, after "**terminated**" and before "**prior**" insert "**by the primary care**
9 **physician**" and change "**three year**" to "**three-year**"

10 AMENDMENT NO. 5

11 On page 2, line 3, after "**employer in**" delete the remainder of the line

12 AMENDMENT NO. 6

13 On page 2, line 4, delete "**the contract or agreement, one of which shall be**"

14 AMENDMENT NO. 7

15 On page 2, delete lines 16 and 17 in their entirety and insert in lieu thereof the following:

16 **"who provides healthcare services in a rural area and receives funds**
17 **from the Louisiana Physician Loan Repayment Program or any other tuition**
18 **reimbursement program for his provision of such services.**

19 **N.(1) Any provision in a contract or agreement which restrains a**
20 **physician specialist from practicing medicine shall terminate after five years**
21 **from the effective date of the contract or agreement. Any subsequent contract**
22 **or agreement executed between the employer and a physician specialist after the**
23 **initial five-year term shall not include noncompete provisions.**

24 **(2) If the contract or agreement provided for in Paragraph (1) of this**
25 **Subsection is terminated by the physician specialist prior to the initial five-year**
26 **term, the physician specialist may be prohibited from carrying on or engaging**
27 **in a business similar to that of the employer in the parish in which the physician**
28 **specialist's principal practice is located and no more than two contiguous**
29 **parishes in which the employer carries on a like business. The parishes shall be**
30 **specified in the contract or agreement. The prohibition established in this**
31 **Paragraph shall not exceed a period of more than two years from termination**
32 **of employment.**

33 **O.(1) The provisions of Subsections M and N of this Section shall not**
34 **apply to any physician who meets any of the following criteria:**

35 **(a) Specializes in radiation oncology, cardiothoracic surgery, transplant**
36 **surgery, hepatobiliary surgery, trauma surgery, neonatology, pediatric surgery,**
37 **or any branch of pediatric surgery including pediatric neurosurgery.**

1 **(b) Is employed by or under contract with a rural hospital as provided**
2 **for in the Rural Hospital Preservation Act, R.S. 40:1189.1 et seq.**
3 **(2) For any physician exempted in this Subsection, the provisions of**
4 **Subsections C, J, K, or L of this Section shall apply.**

5 AMENDMENT NO. 8

6 On page 2, line 18, after "contract" and before "executed" insert "or agreement"

7 AMENDMENT NO. 9

8 On page 2, delete line 19 in its entirety and insert in lieu thereof the following:

9 "the effective date of this Act.

10 Section 3. This Act shall become effective upon signature by the governor or, if not
11 signed by the governor, upon expiration of the time for bills to become law without signature
12 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
13 vetoed by the governor and subsequently approved by the legislature, this Act shall become
14 effective on the day following such approval."