

2021 Regular Session

HOUSE BILL NO. 561

BY REPRESENTATIVE BAGLEY

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

PHYSICIANS: Prohibits certain post employment restraints on the practice of medicine on physicians employed by the state

1 AN ACT

2 To enact R.S. 37:1303, relative to physicians; to provide that certain restrictive agreements
3 on physicians relative to employment by any entity of state government are
4 unenforceable; to provide for a physician who is terminated without cause; and to
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 37:1303 is hereby enacted to read as follows:

8 §1303. Restraint of the practice of medicine; prohibited enforcement; termination
9 without cause

10 A. No contract or agreement or provision thereof which restricts any
11 physician employed by any entity of state government from the practice of medicine
12 upon termination of employment shall be enforceable.

13 B. No provision to restrict the practice of medicine shall be enforceable upon
14 a physician who is terminated without cause by the employer.

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 561 Engrossed

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Bagley

Abstract: Prohibits enforcement of any contract or agreement or provision thereof which restricts any physician employed by any entity of state government from the practice of medicine upon termination of employment.

Proposed law provides that any contract or agreement or provision thereof which restricts any physician employed by any entity of state government from the practice of medicine upon termination of employment is unenforceable.

Proposed law provides that any provision which restricts the practice of medicine upon a physician who is terminated without cause is unenforceable.

(Adds R.S. 37:1303)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Commerce to the original bill:

1. Add a provision stating that no contractual provision restricting the practice of medicine upon a physician who is terminated without cause shall be enforceable.
2. Make technical changes.