

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, after "R.S. 23:921(M)" and before "hereby" delete "is" and insert in lieu
5 thereof a comma "," and "(N), and (O) are"

6 AMENDMENT NO. 3

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

8 AMENDMENT NO. 4

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

11 AMENDMENT NO. 5

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

13 AMENDMENT NO. 6

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

15 AMENDMENT NO. 7

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

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

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

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

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

36 (b) Is employed by or under contract with a rural hospital as provided
37 for in the Rural Hospital Preservation Act, R.S. 40:1189.1 et seq.

1 **(2) For any physician exempted in this Subsection, the provisions of**
2 **Subsections C, J, K, or L of this Section shall apply.**"

3 AMENDMENT NO. 8

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

5 AMENDMENT NO. 9

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

7 "the effective date of this Act.

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