

1 \_\_\_\_\_ BILL NO. \_\_\_\_\_

2 INTRODUCED BY \_\_\_\_\_  
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS PROHIBITING CONTRACTS THAT RESTRICT  
5 PRACTICE TO INCLUDE LICENSED PHYSICIANS OF ALL SPECIALTIES; AMENDING SECTION 28-2-724,  
6 MCA; PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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10 **Section 1.** Section 28-2-724, MCA, is amended to read:

11 **"28-2-724. Prohibition of contracts that restrict practice -- applicability -- exceptions.** (1) A  
12 contract that creates or establishes the terms of employment, a partnership, or any other form of professional  
13 relationship with a health care provider described in subsection (2), may not restrict the right of the health care  
14 provider to:

- 15 (a) practice or provide services for which the provider is licensed, in any geographic area and for
- 16 any period, after the termination of the employment, partnership, or other form of professional relationship;
- 17 (b) treat, advise, consult with, or establish a provider-patient relationship with any current patient of
- 18 the employer or with a patient affiliated with a partnership or other form of professional relationship; or
- 19 (c) solicit or seek to establish a provider-patient relationship with any current patient of the
- 20 employer or with a patient affiliated with a partnership or other form of professional relationship.

21 (2) The requirements of subsection (1) apply to contracts or agreements involving the following  
22 health care providers:

- 23 (a) ~~a psychiatrist or addiction medicine~~ physician licensed under Title 37, chapter 3;
- 24 (b) a psychologist licensed under Title 37, chapter 17;
- 25 (c) a social worker licensed under Title 37, chapter 22;
- 26 (d) a professional counselor licensed under Title 37, chapter 23;
- 27 (e) an addiction counselor licensed under Title 37, chapter 35;
- 28 (f) a marriage and family therapist licensed under Title 37, chapter 37; and

1 (g) a behavioral health peer support specialist licensed under Title 37, chapter 38.

2 (3) This section does not apply to a contract in connection with the sale and purchase of a  
3 practice."

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5 NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

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