

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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