

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-SIX

—
H.P. 1479 - L.D. 2200

An Act Relating to Noncompete Agreements Between Employers and Health Care Practitioners

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 26 MRSA §599-A, sub-§1, ¶A-1 is enacted to read:

A-1. "Health care practitioner" means an individual qualified or licensed under state law to perform or provide health care services to persons in the State.

Sec. 2. 26 MRSA §599-A, sub-§2, as enacted by PL 2019, c. 513, §1, is amended by enacting at the end a new last blocked paragraph to read:

A noncompete agreement between an employer and a health care practitioner that is enforceable under this subsection must recognize an individual's right to choose that individual's own health care practitioner.

Sec. 3. 26 MRSA §599-A, sub-§3, ¶C is enacted to read:

C. The employee is a health care practitioner who is employed by an entity in which that health care practitioner does not have an ownership interest.

Sec. 4. 26 MRSA §599-A, sub-§5, as enacted by PL 2019, c. 513, §1, is amended to read:

5. Effective date of a noncompete agreement. Except for a noncompete agreement between an employer and ~~an allopathic physician or an osteopathic physician licensed under Title 32, chapter 48 or chapter 36, respectively~~ a health care practitioner, the terms of a noncompete agreement do not take effect until after one year of the employee's employment with the employer or a period of 6 months from the date the agreement was signed, whichever is later.

Sec. 5. Application. This Act applies to all noncompete agreements entered into or renewed on or after the effective date of this Act.