

HOUSE BILL NO. 198

INTRODUCED BY J. ETCHART

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE PROHIBITION ON CONTRACTS THAT RESTRICT THE PRACTICE OF SPECIFIED HEALTH CARE PROVIDERS; AMENDING SECTION 28-2-724, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

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

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

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

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

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

- (a) a ~~psychiatrist or addiction medicine~~ physician licensed under Title 37, chapter 3;
- (b) a psychologist licensed under Title 37, chapter 17;
- (c) a social worker licensed under Title 37, chapter ~~22~~ 39;
- (d) a professional counselor licensed under Title 37, chapter ~~23~~ 39;
- (e) an addiction counselor licensed under Title 37, chapter ~~35~~ 39;
- (f) a marriage and family therapist licensed under Title 37, chapter ~~37~~ 39; and

Amendment - 1st Reading-white - Requested by: Ed Buttrey - (H) Business and Labor

- 2025

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Drafter: Jameson Walker,

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1 (g) a behavioral health peer support specialist licensed under Title 37, chapter ~~38~~ 39;

2 (h) a registered professional nurse or an advanced practice registered nurse licensed under Title,

3 37, chapter 8; or

4 (i) a physician assistant licensed under Title 37, chapter 20.

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

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

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10 NEW SECTION. Section 3. Applicability. [This act] applies to contracts made or renewed on or after
11 [the effective date of this act].

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