

1 SENATE BILL NO. 451
2 INTRODUCED BY J. SMALL

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING HEALTH CARE CONTRACT LAWS;
5 PROHIBITING CONTRACTS THAT RESTRICT PRACTICE FOR CERTAIN HEALTH CARE PROVIDERS;
6 AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

7
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9
10 NEW SECTION. Section 1. Prohibition of contracts that restrict practice -- applicability --
11 **exceptions.** (1) A contract that creates or establishes the terms of employment, a partnership, or any other
12 form of professional relationship with a health care provider described in subsection (2), may not restrict the
13 right of the health care provider to:

14 (a) practice or provide services for which the provider is licensed, in any geographic area and for
15 any period, after the termination of the employment, partnership, or other form of professional relationship;

16 (b) treat, advise, consult with, or establish a provider-patient relationship with any current patient of
17 the employer or with a patient affiliated with a partnership or other form of professional relationship; or

18 (c) solicit or seek to establish a provider-patient relationship with any current patient of the
19 employer or with a patient affiliated with a partnership or other form of professional relationship.

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

22 (a) a psychiatrist or addiction medicine physician licensed under Title 37, chapter 3;

23 (b) a psychologist licensed under Title 37, chapter 17;

24 (c) a social worker licensed under Title 37, chapter 22;

25 (d) a professional counselor licensed under Title 37, chapter 23;

26 (e) an addiction counselor licensed under Title 37, chapter 35;

27 (f) a marriage and family therapist licensed under Title 37, chapter 37; and

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

