

House Study Bill 654 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON HEALTH
AND HUMAN SERVICES BILL BY
CHAIRPERSON HARRIS)

A BILL FOR

- 1 An Act prohibiting specified provisions in agreements between
2 employers and health care providers relating to location of
3 practice.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. NEW SECTION. **147.161A Health care providers —**
2 **limitations on location of practice prohibited.**

3 1. As used in this section:

4 a. "Employer" means a person, as defined in chapter 4, who in
5 this state employs for wages an employee.

6 b. "Health care provider" means a physician or osteopathic
7 physician licensed under chapter 148, a physician assistant
8 licensed under chapter 148C, a podiatrist licensed under chapter
9 149, a chiropractor licensed under chapter 151, a licensed
10 practical nurse, a registered nurse, or an advanced registered
11 nurse practitioner licensed under chapter 152 or 152E, a dentist
12 licensed under chapter 153, an optometrist licensed under chapter
13 154, a pharmacist licensed under chapter 155A, or any other
14 person who is licensed, certified, or otherwise authorized or
15 permitted by the law of this state to administer health care
16 in the ordinary course of business or in the practice of a
17 profession.

18 2. If a health care provider leaves employment for any
19 reason, a provision of an agreement entered into between the
20 health care provider and the health care provider's former
21 employer prior to, on, or after the effective date of this Act
22 that limits the right of the health care provider to practice
23 at a hospital eligible for federal designation or federally
24 designated as a critical access hospital or at a medical facility
25 in an area that would qualify as a rural area or for treatment
26 as a rural area under 42 C.F.R. §485.610 shall be void and
27 unenforceable. This section does not apply to a provision of
28 an agreement between a health care provider and the health care
29 provider's former employer that limits the right of the health
30 care provider to solicit current or former patients of the health
31 care provider.

32 EXPLANATION

33 The inclusion of this explanation does not constitute agreement with
34 the explanation's substance by the members of the general assembly.

35 This bill provides that if a health care provider leaves

1 employment for any reason, a provision of an agreement entered
2 into between the health care provider and the health care
3 provider's former employer prior to, on, or after the effective
4 date of the bill that limits the right of the health care
5 provider to practice at a hospital eligible for federal
6 designation or federally designated as a critical access hospital
7 or at a medical facility in an area that would qualify as a
8 rural area or for treatment as a rural area under specified
9 federal regulations shall be void and unenforceable. The bill
10 does not apply to a provision of an agreement between a health
11 care provider and the health care provider's former employer that
12 limits the right of the health care provider to solicit current
13 or former patients of the health care provider.

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