

**As Introduced**

**133rd General Assembly  
Regular Session  
2019-2020**

**S. B. No. 141**

**Senator Williams**

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**A BILL**

To enact section 4113.66 of the Revised Code to 1  
prohibit the use of noncompete provisions in 2  
physician employment contracts. 3

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That section 4113.66 of the Revised Code be 4  
enacted to read as follows: 5

**Sec. 4113.66.** (A) As used in this section: 6

(1) "Employer of physicians" means any person or 7  
government entity, other than a sole proprietor, that employs a 8  
physician to provide medical care or treatment to patients. 9

(2) "Management employee" means an employee who formulates 10  
policy on behalf of an employer of physicians, who directs the 11  
implementation of policy, or who may be reasonably required on 12  
behalf of the employer to have a major role in personnel 13  
administration. 14

(3) "Physician" means an individual authorized under 15  
Chapter 4731. of the Revised Code to practice medicine and 16  
surgery, osteopathic medicine and surgery, or podiatric medicine 17  
and surgery. 18

(4) "Physician employee" means a physician employed by an 19  
employer of physicians. "Physician employee" does not include a 20  
management employee employed by an employer of physicians. 21

(B) No employer of physicians shall require a physician 22  
employee or prospective physician employee to agree, as a 23  
condition of employment with the employer, that at the 24  
conclusion of the employment with the employer, the employee 25  
will refrain from obtaining employment in a specified geographic 26  
area, for a specific period of time, with a particular employer, 27  
or in a particular industry or practice specialty. 28

(C) This section does not prohibit an employer of 29  
physicians from requiring a physician employee or prospective 30  
physician employee to agree, as a condition of employment with 31  
the employer, that during the term of a physician employee's 32  
employment contract with the employer the employee refrain from 33  
obtaining employment in a specified geographic area, for a 34  
specified period of time, with a particular employer, or in a 35  
particular industry or practice specialty. 36

(D) An agreement by a physician employee to waive the 37  
employee's rights under division (B) of this section is void and 38  
unenforceable. 39

(E) If a physician employee or prospective physician 40  
employee believes that an employer of physicians has violated 41  
division (B) of this section, the employee or prospective 42  
employee may bring a civil action against the employer in a 43  
court of competent jurisdiction. An employer of physicians who 44  
violates division (B) of this section is liable to a physician 45  
employee or prospective physician employee for damages and 46  
attorney's fees and costs. 47