

**As Introduced**

**134th General Assembly**

**Regular Session**

**2021-2022**

**S. B. No. 150**

**Senators Johnson, Williams**

**Cosponsors: Senators Yuko, Schaffer**



**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.

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

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

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(C) Division (B) of this section does not prohibit an  
employer of physicians from requiring a physician employee or  
prospective physician employee, as a condition of employment  
with the employer, to agree that, during the term of a physician  
employee's employment contract with the employer, the employee  
will refrain from obtaining employment in a specified geographic  
area, for a specified period of time, with a particular  
employer, or in a particular industry or practice specialty.

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

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(E) If a physician employee or prospective physician  
employee believes that an employer of physicians has violated  
division (B) of this section, the employee or prospective  
employee may bring a civil action against the employer in a  
court of competent jurisdiction. An employer of physicians who  
violates division (B) of this section is liable to a physician  
employee or prospective physician employee for damages and

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attorney's fees and costs.

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