

HOUSE BILL NO. 620

INTRODUCED BY S. GIST, N. NICOL, G. OBLANDER, S. ESSMANN

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS PROHIBITING CONTRACTS THAT RESTRICT PRACTICE TO INCLUDE LICENSED PHYSICIANS OF ALL SPECIALTIES; PROVIDING EXCEPTIONS; AMENDING SECTION 28-2-724, MCA; AND PROVIDING AN IMMEDIATE A DELAYED 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;

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

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

1 (f) a marriage and family therapist licensed under Title 37, chapter 37; and
2 (g) a behavioral health peer support specialist licensed under Title 37, chapter 38.
3 (3) This section does not apply to a contract in connection with the sale and purchase of a practice
4 OR TO A PROVISION FOR REPAYMENT OF ALL OR A PORTION OF MONEY PAID OR ADVANCED TO A PHYSICIAN LICENSED
5 UNDER TITLE 37, CHAPTER 3, THAT IS SUBJECT TO A PAYBACK PROVISION THAT DECREASES OVER TIME, INCLUDING BUT
6 NOT LIMITED TO A BONA FIDE LOAN, RELOCATION COST, SIGNING BONUS, EDUCATION EXPENSE, AND TUITION REPAYMENT
7 EXPENSE."

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9 NEW SECTION. Section 2. Effective date. [This act] is effective ~~on passage and approval~~ JANUARY
10 1, 2026.

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12 NEW SECTION. SECTION 3. APPLICABILITY. [THIS ACT] APPLIES TO CONTRACTS MADE OR RENEWED ON OR
13 AFTER JANUARY 1, 2026.

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