



AN ACT GENERALLY REVISING HEALTH CARE CONTRACT LAWS; PROHIBITING CONTRACTS THAT RESTRICT PRACTICE FOR CERTAIN HEALTH CARE PROVIDERS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.”

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

**Section 1. 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;
- (f) a marriage and family therapist licensed under Title 37, chapter 37; and

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

(3) This section does not apply to a contract in connection with the sale and purchase of a practice.

**Section 2. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 28, chapter 2, part 7, and the provisions of Title 28, chapter 2, part 7, apply to [section 1].

**Section 3. Effective date.** [This act] is effective on passage and approval.

- END -

I hereby certify that the within bill,  
SB 451, originated in the Senate.

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Secretary of the Senate

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President of the Senate

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2023.

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Speaker of the House

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2023.

SENATE BILL NO. 451

INTRODUCED BY J. SMALL

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