

MEDCHI, THE MARYLAND STATE MEDICAL SOCIETY
HOUSE OF DELEGATES

Resolution 22-14

INTRODUCED BY: Baltimore City Medical Society

SUBJECT: Prohibiting Non-Compete Clauses in Physician Employment Contracts

1 Whereas, our American Medical Association (AMA) in a 2013 study found that nearly 42% of physicians are
2 employees; and
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4 Whereas, recognizing the growing number of physician employees in Maryland, MedChi, The Maryland State
5 Medical Society, established the Center for the Employed Physician to provide resources and advocacy for
6 physicians who choose to become employees of hospitals, group practices and other health care entities; and
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8 Whereas, of all the resources, the employment contract and its complexities have elicited significant concern from
9 physicians, particularly non-compete clauses therein; and
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11 Whereas, our AMA and MedChi agree that “covenants-not to-compete restrict competition, disrupt continuity of
12 care, and potentially deprive the public of medical services.” (*Opinion 9.02 and PEC 04/99, respectively*); and
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14 Whereas, MedChi advocates for the profession of medicine and the physician-patient relationship; and
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16 Whereas, non-compete clauses may be unethical and compromise the professional rights of the physician; and
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18 Whereas, non-compete clauses shift the relationship from physician-patient to employing entity-patient, thereby
19 jeopardizing the physician-patient relationship; therefore be it
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21 Resolved, that MedChi, The Maryland State Medical Society support legislation in the Maryland General Assembly
22 to prohibit non-compete clauses in physician contracts.
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25 As referred to the Board of Trustees for study and report back by the House of Delegates at its meeting on
26 September 27, 2014.
