



841508

LEGISLATIVE ACTION

Senate

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House

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The Committee on Appropriations (Flores) recommended the following:

**Senate Amendment (with title amendment)**

Between lines 1677 and 1678

insert:

Section 16. Section 542.336, Florida Statutes, is created to read:

542.336 Invalid restrictive covenants.—A restrictive covenant entered into with a physician who is licensed under chapter 458 or chapter 459 and who practices a medical specialty in a county wherein one entity employs or contracts with, either



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11 directly or through related or affiliated entities, all  
12 physicians who practice such specialty in that county is not  
13 supported by a legitimate business interest. The Legislature  
14 finds that such covenants restrict patient access to physicians,  
15 increase costs, and are void and unenforceable under current  
16 law. Such restrictive covenants shall remain void and  
17 unenforceable for 3 years after the date on which a second  
18 entity that employs or contracts with, either directly or  
19 through related or affiliated entities, one or more physicians  
20 who practice such specialty begins offering such specialty  
21 services in that county.

22  
23 ===== T I T L E A M E N D M E N T =====

24 And the title is amended as follows:

25       Between lines 125 and 126

26 insert:

27       creating s. 542.336, F.S.; specifying that certain  
28       restrictive covenants entered into with certain  
29       physicians are not supported by legitimate business  
30       interests; providing legislative findings; providing  
31       that such restrictive covenants are void and shall  
32       remain void and unenforceable for a specified period;