

House Resolution 592

By: Representative Newton of the 127th

A RESOLUTION

1 Creating the House Study Committee on Noncompete Clauses in Physician Contracts; and
2 for other purposes.

3 WHEREAS, a noncompete clause in a physician contract, also known as a restrictive
4 covenant, restricts a doctor from practicing medicine within a specific geographic area for
5 a certain period of time after leaving employment; and

6 WHEREAS, critics argue noncompete clauses can limit patient access to care by restricting
7 where a physician can practice, potentially disrupting continuity of care; and

8 WHEREAS, the American Medical Association (AMA) generally opposes noncompete
9 clauses for physicians, believing they hinder career advancement and can negatively impact
10 patient care; and

11 WHEREAS, while AMA policy doesn't support a total ban on noncompete provisions, an
12 AMA policy was adopted in 2023 to support banning noncompete contracts for physicians
13 in clinical practice who are employed by for-profit or nonprofit hospitals, hospital systems,
14 or staffing company employers; and

15 WHEREAS, Georgia law does not prohibit restrictive covenants in physician contracts,
16 although Georgia courts will review the breadth of restrictions imposed, such as duration,
17 territory, and scope; and

18 WHEREAS, it would be beneficial to conduct a study to evaluate the effect on patient care
19 and our state healthcare system by noncompete clauses in physician contracts and whether
20 any changes to current law may be warranted.

21 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES:

22 (1) **Creation of House study committee.** There is created the House Study Committee
23 on Noncompete Clauses in Physician Contracts.

24 (2) **Members and officers.** The committee shall be composed of five members of the
25 House of Representatives to be appointed by the Speaker of the House of
26 Representatives. The Speaker shall designate a member of the committee as chairperson
27 of the committee.

28 (3) **Powers and duties.** The committee shall undertake a study of the conditions, needs,
29 issues, and problems mentioned above or related thereto and recommend any action or
30 legislation which the committee deems necessary or appropriate.

31 (4) **Meetings.** The chairperson shall call all meetings of the committee. The committee
32 may conduct such meetings at such places and at such times as it may deem necessary or
33 convenient to enable it to exercise fully and effectively its powers, perform its duties, and
34 accomplish the objectives and purposes of this resolution.

35 (5) **Allowances and funding.** The legislative members of the committee shall receive
36 the allowances provided for in Code Section 28-1-8 of the Official Code of Georgia
37 Annotated. The allowances authorized by this resolution shall not be received by any
38 member of the committee for more than five days unless additional days are authorized.

39 Funds necessary to carry out the provisions of this resolution shall come from funds
40 appropriated to the House of Representatives.

41 **(6) Report.**

42 (A) In the event the committee adopts any specific findings or recommendations that
43 include suggestions for proposed legislation, the chairperson shall file a report of the
44 same prior to the date of abolishment specified in this resolution, subject to
45 subparagraph (C) of this paragraph.

46 (B) In the event the committee adopts a report that does not include suggestions for
47 proposed legislation, the chairperson shall file the report subject to subparagraph (C)
48 of this paragraph.

49 (C) No report shall be filed unless the same has been approved prior to the date of
50 abolishment specified in this resolution by majority vote of a quorum of the committee.
51 A report so approved shall be signed by the chairperson of the committee and filed with
52 the Clerk of the House of Representatives.

53 (D) In the absence of an approved report, the chairperson may file with the Clerk of the
54 House of Representatives a copy of the minutes of the meetings of the committee in lieu
55 thereof.

56 **(7) Abolishment.** The committee shall stand abolished on December 1, 2025.