



Committee: Senate Finance Committee

Bill: House Bill 1388 - Labor and Employment – Noncompete and Conflict of Interest Clauses – Veterinary and Health Care Professionals

Hearing Date: March 28, 2024

Position: Support

The Maryland Affiliate of the American College of Nurse Midwives (ACNM) supports *House Bill 1388 - Labor and Employment – Noncompete and Conflict of Interest Clauses – Veterinary and Health Care Professionals*. The bill prevents an employee who is licensed under the Health Occupations Article or who works as a veterinarian or veterinary technician from being held to a noncompete clause.

Current Maryland law only protects individuals who make 150% of less of the State minimum wage. Most health professionals, such as nurse-midwives and certified midwives, likely make over this amount. In January 2023, the Federal Trade Commission proposed a new rule to ban employers from imposing noncompete clauses on their workers.¹ However, no final rule has been issued, making this bill important to provide clarity on Maryland’s position in this important public policy consideration.

ACNM is supportive of this legislation because noncompete clauses pose a challenge for health facilities and programs trying to recruit health professionals to fill vacancies. Our health care system needs maximum flexibility as Maryland faces a shortage in all types of settings. It is possible that some health professionals will need to move out-of-state to accept a new position.

We ask for a favorable report on this legislation. If we can provide any further information, please contact Robyn Elliott at relliott@policypartners.net or (443) 926-3443.

¹ <https://www.ftc.gov/legal-library/browse/federal-register-notice/non-compete-clause-rulemaking>