



Committee: Health and Government Operations Committee

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

Hearing Date: March 5, 2024

Position: Support

The Maryland Nurses Association (MNA) 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.

MNA supports this bill because of the impact of noncompete employment agreements on the entire health care team, including nurses. When noncompete clauses are imposed, health care practitioners may have to leave the area when accepting a new position. Therefore, noncompete agreements can lead to the disruption of continuity of care.

According to the final report of the Commission to Study the Healthcare Workforce Shortage Crisis, found that Maryland is behind other states in addressing health professional shortages.ⁱ We cannot afford to lose health care practitioners to other states, yet is very easy for Maryland practitioners to work across state lines since our small state borders five jurisdictions. Noncompete agreements could force health care practitioners to move or travel if they switch positions.

In January 2023, the Federal Trade Commission proposed a new rule to ban employers from imposing noncompete clauses on their workers.ⁱⁱ However, no final rule has been issued, making this bill important to provide clarity on Maryland’s position in this important public policy consideration.

Thank you for your consideration of our testimony, and we urge a favorable vote. If we can provide any further information, please contact Robyn Elliott at relliott@policypartners.net.

ⁱ[https://health.maryland.gov/docs/SB%20440%20Ch.%20708%20\(2022\)%20%E2%80%93%202023%20Final%20Report%20%E2%80%93%20Commission%20to%20Study%20the%20Heal.pdf](https://health.maryland.gov/docs/SB%20440%20Ch.%20708%20(2022)%20%E2%80%93%202023%20Final%20Report%20%E2%80%93%20Commission%20to%20Study%20the%20Heal.pdf)

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