

HB1388 - Labor and Employment – Noncompete and Conflict of Interest Clauses – Veterinary and Health Care Professionals

In support of (FAV) of this legislation

Respected Delegates,

I am a Maryland horse owner that is being harmed by the use of non-compete agreements in veterinary employment contracts.

Currently, non-compete agreements have left our entire area devoid of a qualified equine surgeon, forcing us to transport horses out of state for emergency surgical care.

My veterinarian had to leave the practice and cannot care for my animals at my farm due to a non-compete clause. My barn is close to the practice.

Crucially, the veterinarian in my case is a highly skilled, board-certified equine surgeon. Sadly, there's no one else in Anne Arundel County with his expertise. Recently, he performed life-saving emergency colic surgery on one of my horses. **Without him available and no other board-certified equine surgeon in the area, my horse faces a dire situation if he experiences the same colic again. The 1.5-2-hour journey to the nearest surgery center in Virginia or Pennsylvania would be too risky.**

It is my right and responsibility to choose who cares for my animals. The doctor-patient relationship is exactly that, a relationship between me and the veterinarian of my choosing. The use of a non-compete clause by a practice or business forces me into a contract that I did not even know about and has a significantly negative impact on animal welfare in the area.

Please consider the following facts:

1. The veterinary shortage is well-known and documented. The AVMA (American Veterinary Medical Association) acknowledges shortages of veterinarians in rural America, food animal, equine, academia, shelters, emergency practices, specialties, and public health areas. The AAEP (American Association of Equine Practitioners) data shows that only 1.3% of graduating veterinarians go into equine practice, 50% of those individuals leave the profession within 5 years, either switching to small animal practice or quitting veterinary medicine altogether. The Mars Veterinary Health Study (2022) predicts a shortage of over 15,000 veterinarians by 2030.
2. Several states have recognized that non-competes violate the sanctity of the doctor-patient relationship similar to how the American Bar Association prohibits non-compete agreements because they violate the attorney-client relationship. California, Oklahoma, North Dakota have banned non-compete agreements across professions. Connecticut, Florida, Indiana have specifically banned non-compete clauses for physicians, and Maine has banned non-compete clauses for veterinarians.

Thank you for your service to our community, for hearing my concerns, and, ultimately, for supporting the elimination of non-compete agreements in the veterinary profession (HB 1388).

Sincerely,

Troy W. Mayer – 240-417-2416 – tmayer@creativesignage.com

Maryland Resident, Business & Horse Owner