

HB 1388 - FAV

Testimony submitted by:

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WITNESS TESTIMONY IN SUPPORT OF HB 1388

My name is Catherine Manofsky. I am a resident of District 33B. I am submitting this testimony in support of HB 1388 (crossfiled SB 1182) - Labor and Employment – Noncompete and Conflict of Interest Clauses – Veterinary and Health Care Professionals. My brother and sister-in-law are equine veterinarians currently practicing in the State of Maryland, so I have seen from their experiences the impact of non-competition provisions on veterinary care.

There is currently a well-documented veterinary shortage in this state and across the country, particularly in the area of equine medicine. The American Association of Equine Practitioners data reveals that only 1.3% of graduating veterinarians go into equine practice, and of that small percentage, 50% of those individuals leave the profession within five years, either switching to small animal practice or quitting veterinary medicine altogether. The number of veterinarians, including equine veterinarians, practicing in the State of Maryland is even more significantly reduced through the use of non-competition provisions in veterinary employment agreements. Often those provisions are the result of unequal bargaining power in the negotiation of employment agreements.

Maryland horse owners should have the right to select the equine veterinarian of their choice when their horses need veterinary care. Given the logistics involved in transporting and treating horses, equine veterinarians often travel to a horse owner's farm to provide veterinary care. Currently, non-competition provisions prevent a horse owner from truly having freedom of choice for veterinary care because if their chosen veterinarian is bound by a non-competition provision that precludes the veterinarian from treating the horse at the owner's farm, the owner would either have to transport their sick or injured horse outside the non-competition area for care or be forced to use a veterinarian that they did not choose.

Currently, the use of non-competition provisions is limiting emergency equine care provided in the State of Maryland. Horse owners who have animals that require emergency surgery now have to transport their horses to an out-of-state emergency surgery center, the closest of which are in Leesburg, Virginia or Kennett Square, Pennsylvania.

Additionally, this bill would allow human patients to have better access to their chosen medical providers. Patients often cannot travel great distances to obtain medical care from their chosen providers, particularly when they are in need of urgent or emergency care or they have chronic conditions that require frequent appointments.

In conclusion, I would urge the committee to support this bill because it will allow animal owners to receive veterinary care from the veterinarian of their choice in a location that is convenient for them, particularly in the event of a need for emergency care for their animals. Additionally, this will better allow patients to be treated by the medical providers of their choice. I respectfully urge this committee to return a favorable report on HB 1388.