

HB 1388

FAV

Keith Sobel, DVM, DACVIM (board certified small animal veterinary internal medicine)

15424 Deep Bottom Road, Germantown, MD 20874

Dear House Members:

I am writing in support of HB1388. I obtained my veterinary degree in 1998 and obtained my license to practice veterinary medicine in Maryland in 2000. I have seen many changes in veterinary medicine over the past 25 years, and few topics are discussed as often as non-compete agreements. Many employers have removed them from their contracts already, but the time has come to block any contract from including them as a matter of law. Contracts already in effect should have them nullified as well. This law does appear to be retroactive which is important to protect those who already work under such constraints.

Non-competes may have a very limited benefit to protect the buyer of a clinic such that the seller does not open a clinic across the street. But the reality is that this scenario is an extremely rare event—if it ever occurs-- but is often cited as the need for such clauses. The more common problem is a veterinarian is unhappy with the employer for any number of reasons, yet is forced to make significant changes to their lives due to these clauses. In severe cases, this may result in a veterinarian leaving the practice of veterinary medicine to allow a non-compete to “run out,” or the need to move from their home to another area. Such outcomes serve no benefit to our patients and can be extremely detrimental to the financial and emotional well-being of the veterinarian (and their family).

In a time when we need MORE veterinarians to serve our patients, any such employment restrictions simply hurt the pet-owning public as well as the veterinarians in our state. As such I strongly support the decision to ban non-complete clauses from Maryland contracts.

(Note: many businesses that operate in Maryland are owned by companies that are incorporated in other states, most often Delaware. I am unsure how contract law works, but hope that if a “Delaware based” company (or other state) has a hospital in Maryland, this law would nullify those agreements as well!)

Thank you,

Keith Sobel, DVM, MBA, DACVIM (saim)