

WRITTEN TESTIMONY FOR HOUSE BILL 1388

I SUPPORT THIS BILL (FAV)

WITNESS:

William A. White, MD
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Honorable Delegates of the Maryland House;

I am a physician who practiced emergency medicine for 28 years and urgent care medicine for an additional 2 years prior to my retirement in 2020. During that time, I worked in several emergency departments from level 2 trauma centers to community emergency departments, as well as in 2 different networks of urgent care centers. Most of the companies I worked for required noncompete clauses as part of their employment contracts. I was also aware of many primary and specialty care practices in the catchment areas of the hospitals where I worked who also required noncompete clauses for their physicians. I am personally and professionally familiar with the problems that noncompete clauses create and I urge you to support the passage of HB1388.

To provide a bit of background, my practice required me to refer patients to primary care providers and specialists on many occasions. It was not uncommon to have difficulty finding physicians who were able to see new patients in a timely manner. Many times, specialty care was not even available locally. Although the causes of these difficulties are multifactorial, one clear impediment is the noncompete clause in many contracts. The result is that physicians who know an area and wish to stay there, but who wish to leave the practice they are in, are prevented from doing so by noncompete clauses in their contracts. In effect, this obstructs the public interest of having adequate healthcare practitioners to provide for the populus in any given area. In an environment where it is often difficult to get an appointment to see your own primary care provider quickly, and where it is even more difficult to find a primary care practice open to new patients, noncompete clauses are clearly not in the public interest.

The problems besetting the entire healthcare system are legion and complex. While this bill will not fix everything, it will certainly be a step in the right direction. I am in favor of passage of HB1388 and I laud the honorable delegates of this committee for taking it on. I hope that it will pass into law.

I am at your service,

William A. White, D