

By: Representatives Ishee, Creel,  
Fredericks, Masterson

To: Public Health and  
Welfare

HOUSE BILL NO. 698

1 AN ACT TO PROHIBIT THE INCLUSION OF NONCOMPETITION PROVISIONS  
2 IN CERTAIN CONTRACTS BETWEEN HEALTH CARE AND OTHER PERSONS OR  
3 ENTITIES; AND FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 **SECTION 1.** (1) As used in this section, the following terms  
6 shall have the following meanings:

7 (a) "Health care provider" means an individual or  
8 entity that provides health care services in the ordinary course  
9 of the practice of a profession.

10 (b) "Noncompetition provision" means a provision in a  
11 contract or other agreement that has the effect of prohibiting or  
12 restricting a party to the contract or agreement from being  
13 employed by or being an independent contractor for another person  
14 or entity that is engaged in the same type of business or provides  
15 the same type of services as the other party to the contract or  
16 agreement.

17 (2) A contract or other agreement entered into or renewed on  
18 or after July 1, 2003, between a person or entity and a health  
19 care provider that is a resident of Mississippi, for the health  
20 care provider to provide health care services to or on behalf of  
21 the person or entity as an employee or as an independent  
22 contractor, shall not contain a noncompetition provision. A  
23 noncompetition provision in a contract or other agreement in  
24 violation of the provisions of this section shall be void and  
25 unenforceable.

26 **SECTION 2.** This act shall take effect and be in force from  
27 and after July 1, 2003.

