

2024 -- S 2220

LC003774

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

A N A C T

RELATING TO BUSINESSES AND PROFESSIONS -- NURSES

Introduced By: Senators Lauria, LaMountain, DiMario, Miller, Euer, Murray, Valverde,
Ujifusa, Lawson, and Cano

Date Introduced: January 24, 2024

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 5-34 of the General Laws entitled "Nurses" is hereby amended by
2 adding thereto the following section:

3 **5-34-50. APRN restrictive covenants void.**

4 (a) Any contract or agreement that creates or establishes the terms of a partnership,
5 employment, or any other form of professional relationship with an advanced practice registered
6 nurse ("APRN") licensed to practice pursuant to § 5-34-45 that includes any restriction of the right
7 of the APRN to practice shall be void and unenforceable with respect to said restriction; provided,
8 however, that nothing herein shall render void or unenforceable the remaining provisions of any
9 such contract or agreement.

10 (b) Restrictions rendered void under subsection (a) of this section shall include, but shall
11 not be limited to the following:

12 (1) The right to practice in any geographic area for any period of time after the termination
13 of the partnership, or professional relationship;

14 (2) The right of an APRN to provide treatment, advise, consult with or establish a
15 professional relationship with any current patient of the employer; and

16 (3) The right of an APRN to solicit or seek to establish a professional relationship with any
17 current patient of the employer.

18 (c) Notwithstanding the foregoing, the prohibition on advanced practice registered nurse
19 covenants shall not apply in connection with the purchase and sale of a practice; provided the

1 [restrictive covenant and non-compete covenant is for a period of time of not more than five \(5\)](#)
2 [years.](#)

3 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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1 This act would prohibit any agreement whereby an advanced practice registered nurse is
2 restricted in the right to practice in a certain geographic area, assist or provide treatment or establish
3 a professional relationship with any other employer; and establish the right of the advanced practice
4 registered nurse to solicit or seek to apply with the purchase and sale of a practice which includes
5 a restriction or non-compete clause within five (5) years.

6 This act would take effect upon passage.

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