

SENATE BILL No. 504

By Committee on Federal and State Affairs

2-11

1 AN ACT concerning healthcare practices and professions; enacting the
2 Kansas healthcare professional employment mobility and patient access
3 act; prohibiting noncompete agreements restricting post-employment
4 patient care.
5

6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. (a) This act shall be known and may be cited as the Kansas
8 healthcare professional employment mobility and patient access act.

9 (b) As used in this section:

10 (1) "Healthcare professional" means:

11 (A) A physician licensed by the state board of healing arts to practice
12 medicine and surgery; or

13 (B) a mid-level practitioner as defined in K.S.A. 65-1626, and
14 amendments thereto.

15 (2) "Noncompete agreement" means any agreement or contractual
16 provision that restricts a healthcare professional from engaging in the
17 practice of their profession or providing patient care services after
18 termination of employment or a contractual relationship.

19 (3) "Recruiting and relocation costs" means actual, reasonable and
20 documented expenses incurred by the employer, including retirement fees,
21 advertising, relocating expenses, immigration or licensure costs and
22 signing bonuses expressly designated for recruitment or relocation.

23 (c) Except as provided in subsection (d), a noncompete agreement
24 restricting post-employment patient care entered into in violation of this
25 section shall be void and unenforceable. An employer of a healthcare
26 professional shall not require, enforce or attempt to enforce a noncompete
27 agreement.

28 (d) An employer may include a limited restriction during the first 24
29 months of initial employment, applicable solely upon the voluntary
30 termination by the employee. Any such restriction shall be limited to a
31 reasonable geographic area not to exceed 15 miles from the employer's
32 primary practice location. The agreement shall provide a mandatory
33 financial buyout option equal to the unamortized portion of document
34 recruiting and relocation costs, amortized over 24 months. Lost profits,
35 anticipated revenue, training costs or punitive liquidated damages are
36 prohibited.

1 (e) Nothing in this act shall prohibit confidentiality or nondisclosure
2 agreements protecting trade secrets or proprietary information or
3 restrictive covenants entered into in connection with the sale of a medical
4 practice where goodwill is transferred.

5 (f) An employer shall not restrict healthcare professionals from
6 notifying patients of departure, a new practice location or the patient's
7 right to choose a healthcare provider.

8 (g) This act shall apply to agreements entered into, renewed, amended
9 or extended on or after July 1, 2026. Except as permitted under subsection
10 (d), existing agreements with post-employment restrictions are void.

11 (h) The provisions of this act are severable. If any portion of this act
12 is held by a court to be unconstitutional or invalid, or the application of
13 any portion of this act to any person or circumstance is held by a court to
14 be unconstitutional or invalid, the invalidity shall not affect other portions
15 of this act that can be given effect without the invalid portion or
16 application and the applicability of such other portions of this act to any
17 person or circumstance remains valid and enforceable.

18 Sec. 2. This act shall take effect and be in force from and after its
19 publication in the statute book.