

1 S.230

2 An act relating to fair employment practices

3 The Senate concurs in the House proposal of amendment with further  
4 proposal of amendment thereto:

5 First: By striking out Sec. 3b, 21 V.S.A. § 495q, in its entirety and inserting  
6 in lieu thereof a new Sec. 3b to read as follows:

7 Sec. 3b. 21 V.S.A. § 495q is added to read:

8 § 495q. AGREEMENTS WITH HEALTH CARE PROVIDERS

9 (a) Any provision in a contract or agreement that creates or establishes the  
10 terms of a partnership, employment, or any other form of professional  
11 relationship with a health care provider regarding the health care provider's  
12 provision of health care services in Vermont shall be void and unenforceable if  
13 the provision:

14 (1) includes a restriction on the right of the health care provider to  
15 provide health care services in any geographical area for any period of time  
16 after the termination of such partnership, agreement, or professional  
17 relationship;

18 (2) limits the ability of a separating health care provider to provide  
19 notice of the provider's change of employment to individuals to whom the  
20 separating provider provided direct health care services;

1           (3) restricts a health care provider from making disparaging statements  
2 about another party to the contract or agreement or about another person  
3 specified in the agreement as a third-party beneficiary of the agreement;

4           (4) is inconsistent with Vermont law; or

5           (5) requires litigation arising from the performance of the contract or  
6 agreement in Vermont to be conducted in another state.

7           (b) The notice provided in subdivision (a)(2) of this section may include  
8 the following information:

9           (1) that the health care provider is continuing to practice the provider's  
10 profession;

11           (2) the health care provider's new professional contact information; and

12           (3) the recipient's right to choose a health care provider.

13           (c) The provisions in subsection (a) of this section do not apply to  
14 restrictions that limit a health care provider who contracts with a third-party  
15 company for nonclinical business support services from opening a business  
16 within a specific territory supported by a different third-party company  
17 providing nonclinical services.

18           (d) "Health care provider" means a person licensed, certified, or authorized  
19 by law to provide professional health care service in this State to an individual  
20 during that individual's medical care, treatment, or confinement.

1       (e) An employer shall not discharge or in any other manner retaliate against  
2       an employee who exercises or attempts to exercise the employee's rights under  
3       this section. The provisions against retaliation in subdivision 495(a)(8) of this  
4       subchapter and the penalty and enforcement provisions of section 495b of this  
5       subchapter shall apply to this section.

6       (f) This section shall apply to contracts and agreements entered into on or  
7       after July 1, 2026.

8       Second: By adding a new section to be Sec. 3c to read as follows:

9       Sec. 3c. SOLICITATION AT CORRECTIONAL FACILITIES

10       The Commissioner of Corrections or designee shall meet with  
11       representatives of the Vermont State Employees' Association to develop a  
12       proposal governing permissible and impermissible solicitation in parking lots  
13       at the Department of Corrections' facilities for consideration for adoption by  
14       the Secretary of Administration on or before January 1, 2027. The  
15       Commissioner of Buildings and General Services shall coordinate the meetings  
16       and provide assistance as appropriate.