





**Additional Support from West Virginia**

\*Some comments condensed due to length.

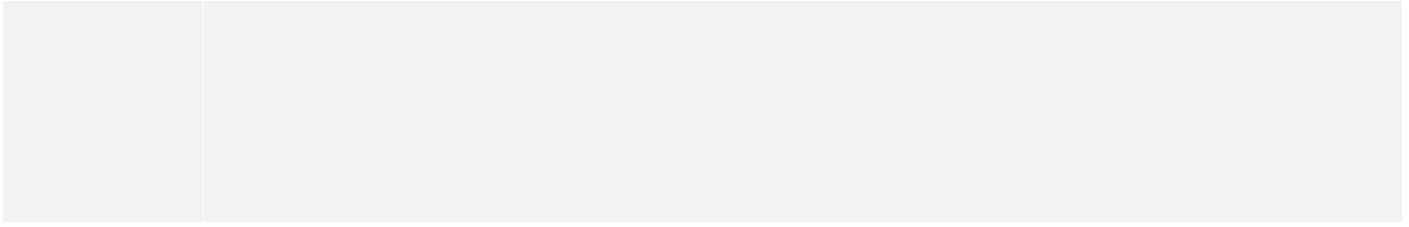
Constituent First Name	Comment Highlights
Jason	"To whom it may concern. I am a physician, and I am under a noncompete in West Virginia . Which is an underserved area .. as it stands if I were ever to seek new employment, I would have to move further worsening the physician shortage in my



<p>Jill</p>	<p>"Please repeal this rule. I work in healthcare in rural West Virginia. If you were treated badly by one employer and choose to leave, you have to drive 30 miles or find something totally out of your field. We have shortages in our job and they regulate a monopoly on the providers and prevent patients from getting the care they deserve. It makes you stay in a situation where you were treated poorly because you can't afford to move. Please help us."</p>
<p>[Redacted]</p>	<p>"Dear F.T.C. Members; Thank you for your proposed rule to ban the use of noncompete clauses in future employment contracts and void such clauses in existing contracts. The noncompete clause has unjustly damaged many workers' careers and their lives. Whatever benefit they give employers, notably the ability to keep wages noncompetitive, which itself is unjust to low-paid workers, is not worth the hardship they cause. I hope you will support the ban of the use of such clauses. Sincerely, Dina Coe"</p>

Diane "I support FTC regulation to ban non

at the mercy of their employer or choose to leave their patients behind and physically relocate their practice to another area. As a provider the most infuriating aspect of non-compete clauses in healthcare, is the fact that health care would not exist without the very medical providers and patients that non-compete clauses seek to harm. A move to ban non-compete clauses from medicine is a move towards restoring fairness and promoting equity for both providers and patients within our health care system. Sincerely, Dr. M"



<p>Adam</p>	<p>"There is currently a shortage of medical providers in the US, and hospitals compound this with non compete clauses. Many Hospitals use non compete clauses to attempt to make sure physicians, physician assistants, and nurse practitioners are unable to work at other competing nearby locations if they decide to no longer work for their current hospital employer. This can force providers to move far away from the location to meet the criteria of the non compete. This can cause a noticable shortage of properly trained providers, especially in rural areas where it can be difficult to entice certain medical specialties that now must move across country to escape a non compete. This negativity effects communities who now have to travel further for specific medical care. This is also difficult for the physicians, PAs, and NPs who must uproot their entire lives and move a far distance to be outside of the mile distance restrictions set by non compete clauses. Faced with moving to meet the requirements of the non compete the hospital has set or facing a breech of contract lawsuit for attempting to practice medicine in the same community is stressful for anyone. This is an unfair burden that should be removed to allow physicians and other providers to remain in communities they love and serve without having to face the strife of legal consequences non compete clauses place on them."</p>
<p>Thomas</p>	<p>"I would like to speak in favor of the ban on Non-compete clauses, particularly for physicians. I see two problems with non-compete clauses for physicians (and similar employees). First, the primary idea of a non-compete clause is to protect what is deemed as vital proprietary information or "trade secrets". As professionals, physicians go to school and then residency to learn how to do their jobs. They then take national tests to demonstrate competency in their ability to do that job. None of that information is coining from their employer, so there really are no "trade secrets" for the employer to protect. The second argument I've heard for allowing non-compete clauses is that it can be expensive for a company to recruit physicians and the companies feel they feel the non-compete clauses enable them to protect their investments. However, there are other ways that could be achieved. Off the top of my head, they could require a certain length of initial employment in the contract, to make sure that the employee was around long enough to offset the recruiting cost. And, if the employee leaves before that time, they could easily have a clause that a pro-rated amount of the cost incurred in recruiting them would have to be repaid. Of course, if the company wasn't so onerous to work for, they might not have such recruiting problems in the first place. The idea of non-competes also seems to be applied rather arbitrarily. For example, in the state of West Virginia, non-compete clauses are not allowed for lawyers, but are allowed for physicians. I wonder who made those rules? We need to create an atmosphere that allows for healthy competition in all professions/jobs There may be some instances (none come to mind at the moment) where non-compete clauses may be a valid idea to protect true trade secrets. In today's day and age, however, I would bet that there are very few true trade secrets that are not already protected via patents or other legal protections, that would justify use of this clause. In light of this, I am in favor of banning non-compete clauses in employment contracts."</p>





	<p>reputation, and then opening their own practice across the street. Given that the footprint of an individual practice is smaller than a hospital system, the argument that a physician wanting to leave that practice could still practice in the area without having to upnr their families is much more reasonable. Independent practices are a valuable player in the healthcare ecosystem, and preferred by many patients. Therefore, if a carve out in the FTC proposal is created in healthcare, it should be for independent practices, not for 'not for profit' healthcare systems, and be aimed at keeping independent physician practices viable. Therefore, as grassroots physicians and our supporters, we respectfully submit that noncompete clauses are detrimental to both physicians employed by hospital systems (both for profit and not for profit) as well as patients. Ultimately, noncompete clauses at large healthcare employers are detrimental to our nation's long term ability to maintain access to quality care, and should be outlawed."</p>
<p>Kelly</p>	<p>"Please get rid of these agreements they are horrible for the middle class working man who might need to change jobs to provide a better living for his family. Too many times I've been forced to sign a non compete then have to pass on a better paying job because of the agreement with my current employer."</p>

"I am writing to express my support for a ban on non-compete clauses in employment contracts, particularly in the healthcare industry. Non-compete clauses have a negative impact on labor markets and can contribute to physician burnout and worsen the physician shortage. Non-compete clauses limit a physician's ability to seek new employment opportunities, which can lead to decreased competition, lower wages, and less access to healthcare for patients.

Ellen



