



Rep. Laura Faver Dias

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10400HB2561ham001

LRB104 09500 SPS 24573 a

1 AMENDMENT TO HOUSE BILL 2561

2 AMENDMENT NO. _____. Amend House Bill 2561 by replacing
3 line 20 on page 3 through line 11 on page 4 with the following:

4 "(g) Any covenant not to compete or covenant not to
5 solicit entered into after the effective date of this
6 amendatory Act of the 104th General Assembly shall not be
7 enforceable with respect to the provision of reproductive
8 health care or maternity care by a health care professional in
9 this State if (i) a medical practice or health care facility
10 limits or eliminates maternal or reproductive health services
11 or (ii) a medical practice or health care facility is
12 purchased and the buyer limits or eliminates maternal or
13 reproductive health services. In an action to enforce a
14 covenant not to compete or covenant not to solicit entered
15 into after the effective date of this amendatory Act of the
16 104th General Assembly, a medical practice or health care
17 facility that has limited or eliminated maternal or
18 reproductive health services and that is seeking to enforce

1 the covenant not to compete or the covenant not to solicit, or
2 the buyer of a medical practice or health care facility that
3 limits or eliminates maternal or reproductive health services
4 and that is seeking to enforce the covenant not to compete or
5 the covenant not to solicit, has the burden of proving that it
6 will not reduce the availability of reproductive health care
7 or maternity care in this State within a 50-mile radius from
8 the location of the medical practice or health care facility.

9 As used in this subsection:

10 "Health care facility" means (i) a hospital or hospital
11 affiliate as those terms are defined in the Hospital Licensing
12 Act or (ii) an ambulatory surgical treatment center as that
13 term is defined in the Ambulatory Surgical Treatment Center
14 Act.

15 "Health care professional", "maternity care", and
16 "reproductive health care" have the meaning given to those
17 terms in Section 1-10 of the Reproductive Health Act."