

SOUTH DAKOTA STATE MEDICAL ASSOCIATION
POLICY

Subject: Restrictive Covenants and the Practice of Medicine
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POLICY STATEMENT

The South Dakota State Medical Association (SDSMA) believes covenants-not-to-compete restrict competition, disrupt continuity of care, and potentially deprive the public of medical services. The SDSMA discourages any agreement which restricts the right of a physician to practice medicine for a specified period or in a specified area upon termination of an employment agreement, partnership, or corporate agreement.

Restrictive covenants are unethical if they are excessive in geographic scope or duration in the circumstances presented, or if they fail to make reasonable accommodation of patients' choice of physician.

AUTHORITY

South Dakota State Medical Association Council of Physicians, 6/1/2012; Reaffirmed by South Dakota State Medical Association Board of Directors 11/5/2020.

SOURCE

AMA Ethics Policy - E-9.02 Restrictive Covenants and the Practice of Medicine.

Issued prior to April 1977; Updated June 1994 and June 1998.