

MISSOURI LAWMAKER PROPOSES PHYSICIAN NON-COMPETE BAN: KEY POINTS FOR EMPLOYERS

Insights
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A Missouri lawmaker just introduced a bill that would invalidate non-compete agreements for licensed physicians if it gets approved by the legislature and is ultimately signed into law. The proposal, sponsored by state Rep. Ian Mackey (D), follows a growing trend among states across the country – as well as recent initiatives by the Federal Trade Commission – to boost post-employment mobility of healthcare providers. In this insight, we'll cover this broader trend, as well as what's in Missouri's new bill and how employers in the state can prepare.

Limits on Restrictive Covenants in Healthcare: A Growing Trend Across the US

If Missouri enacts [HB 2184](#), which was introduced by Rep. Mackey on December 4, the state would join several others that have placed significant constraints on non-compete provisions for medical practitioners.

- In 2025 alone, Arkansas, [Colorado](#), Indiana, Montana, New Hampshire, Oregon, [Texas](#), and Wyoming all enacted new laws banning or limiting restrictive covenants for healthcare professionals.
- In addition, the Federal Trade Commission (FTC) announced in September that it had warned several large healthcare employers and staffing firms about their non-compete agreements and other restrictive covenants to ensure they are legally sound and don't infringe on workers' rights. We covered the [biggest takeaways and compiled a five-step compliance action plan](#).

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This nationwide trend is reshaping how healthcare professionals move between employers and compete in the medical marketplace, and healthcare employers are now reevaluating their approaches to their provider contracts.

Key Points on Missouri's Proposed Healthcare Non-Compete Ban

Below are the key points you should know now as the Missouri bill starts to make its way through the House.

A Physician Only Approach

HB 2184 would explicitly prohibit non-competes for any "physician" licensed under Missouri Revised Statute Chapter 334. Because of the way that Mo. Rev. Stat § 334.021 has defined the term "physician," as introduced, the bill is likely to apply only to individuals licensed to practice medicine or surgery – and not to other healthcare professionals subject to Chapter 334 (such as physical therapists, athletic trainers, and respiratory care therapists). While the trend in other states is to include a broad range of medical clinicians in restricting non-competes, HB 2184 does not extend to nursing professionals or other non-physician providers.

Non-Solicits Remain Enforceable

The language of the new bill expressly prohibits non-compete clauses in employment contracts that restrict a physician's right to practice medicine in any geographic area for any period of time after the separation of their employment. At this time, the proposed bill does not attempt to prohibit any non-solicitation clauses and expressly states that an invalidated non-compete clause does not render the remaining provisions of the contract unenforceable. This means that Missouri healthcare employers would remain free to protect their practices by restricting departing physicians from recruiting former patients or diverting employees and staff away from the practice.

How Healthcare Employers Can Prepare

If enacted, HB 2184 would take effect in August 2026 and render all existing and future non-compete restrictions on healthcare providers void and unenforceable.

- To the extent you employ Missouri physicians, we recommend you review the employment agreements you



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have with each provider and take stock of whether your agreements include non-compete provisions.

- Given the uncertain future of non-compete clauses for physicians, as well as the FTC's use of the healthcare industry as ground zero for its efforts to promote competition in the labor market, now is a good time for employers to consider bolstering the other restrictive covenants in these agreements.

Conclusion

This bill could mean major changes for healthcare provider employee agreements in Missouri. However, it remains to be seen whether the bill will pass the state's Republic-controlled chambers and receive Gov. Mike Kehoe's signature. We will continue to monitor developments and provide updates as warranted, so make sure you subscribe to [Fisher Phillips' Insight System](#) for continued information on this developing area of the law. As always, if you have any questions about this proposed new bill and how it may impact your operations, please contact your Fisher Phillips attorney, the authors of this Insight, or any member of our [Employee Defection and Trade Secrets Practice Group](#) or attorney in our [Kansas City](#) office.