

May 29, 2024

House Interim Judiciary Committee and Senate Interim Judiciary Committee,

Optum Oregon is writing to provide information on our approach to non-competition clauses for practicing physicians and our recent announcement regarding nonenforcement of such clauses.

As is common in health care organizations in Oregon, physician practices routinely enter non-competes with their physicians and advanced practice clinicians (APCs) which include nurse practitioners and physician assistants. Each of the Optum practices, both Oregon Medical Group and Corvallis Clinic, prior to acquisition had various non-competes which had been established by the prior physician ownership group. The pre-existing physician practices had non-competes that applied to primary care and specialist physicians and, in some instances, APCs.

As shared recently, Optum's practices in Oregon will not be enforcing employment non-competes on any physician or advanced practice clinician.

In the interest of ensuring a level playing field and to address the unique issues in the state, we would be supportive of efforts in Oregon to ensure that all other health care organizations, whether physician practices or hospital systems, regardless of ownership, would not impose non-competes in its physician or APC employment agreements.

Thank you.