

**PUBLIC CHAPTER NO. 851**

**SENATE BILL NO. 3154**

**By Overbey, Marrero**

Substituted for: House Bill No. 3177

By Dean

AN ACT to amend Tennessee Code Annotated, Title 63, relative to the healing arts.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 63-1-148(a)(2), is amended by deleting the subdivision in its entirety and by substituting instead the following:

(2) Any restriction under subdivision (a)(1) shall not be binding on a healthcare provider who has been employed by, or under contract with, the employing or contracting entity for at least six (6) years unless the healthcare provider and the employing or contracting entity mutually agree to extend the six (6) year period for a term not to exceed six (6) years. The healthcare provider and the employing or contracting entity may agree to an unlimited number of extensions of the six (6) year period so long as the extension is in writing, is supported by consideration, and each extension does not exceed a term of six (6) years. Any agreement to extend the six (6) year time period must be accomplished through subsequent negotiations and cannot be extended by an automatic renewal provision in an employment contract. Refusal by either party to extend or enter into a new employment contract shall not be considered grounds for terminating an existing employment contract so long as the employment term of the contract then in effect is a term longer than month-to-month.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

**PASSED: April 14, 2010**



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RON RAMSEY  
SPEAKER OF THE SENATE



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KENT WILLIAMS, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 30th day of April 2010



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PHIL BREDESEN, GOVERNOR