

Senate Human Services Committee
SB 2148
January 24, 2023

Chair Lee and Committee Members, I am Dr. Bill Noyes and I serve on the Commission for Legislation for the North Dakota Medical Association. I am a physician in Grand Forks at the Cancer Center of North Dakota which is a for-profit free-standing cancer center helping patients in this region since 2004 and this May will have been open for 19 years.

As a physician, I am in strong support of SB 2148. As you are aware, there are 9 states with a Corporate Practice of Medicine law plus the District of Columbia that do not allow non-profit exceptions to hire physicians. As mentioned earlier, in North Dakota, only hospitals and non-profit hyperbaric oxygen centers are able to hire physicians provided the contract contains language that it will not affect the physician's ability to render an independent judgement in the practice of medicine.

Furthermore, the law as it is written represents an inequity in employment, since physicians are the only healthcare profession exempt from non-profit employment. Other professions such as physician assistants, nurses and nurse practitioners are able to choose non-profit employment options.

Presently, there are several non-profit clinics in North Dakota which hire physicians as independent contractors but do not directly hire them. Further, if a physician or physician group would elect to form a non-profit clinic to better serve their patients and their region, they are not able to directly hire physicians due to the current prohibition.

This proposed change would allow physicians another employment choice whether it be non-profit entities or charitable organizations and protect their ability to maintain an independent judgement in the practice of medicine. This is the standard in 40 other states.

For the above stated reasons, I request your support for SB 2148.

Thank you.

William (Bill) Noyes MD