



Testimony of Matthew Netto, AARP Rhode Island
In support of House Bill 7696
House Committee on Health and Human Services
March 12, 2024

Chairwoman Donovan and members of the House Health and Human Services Committee:

AARP is a nonpartisan, social mission organization with 38 million members nationwide and nearly 125,000 members here in Rhode Island. We advocate on behalf of issues that impact older adults, and we appreciate the opportunity to offer our support for prohibiting any agreement whereby an advanced practice registered nurse is restricted in the right to practice in a certain geographic area, assist or provide treatment or establish a professional relationship with any other employer as House Bill 7696 from Representative Speakman is intended to do.

Many states have placed statutory restrictions and/or conditions on the use of non-compete clauses with certain healthcare workers. Colorado, Connecticut, Delaware, Florida, Indiana, New Hampshire, New Mexico, Rhode Island, South Dakota, Tennessee, Texas, and West Virginia have all passed legislation restricting the use of non-competes physician contracts.¹ Five states — California, North Dakota, Oklahoma, Minnesota, and Colorado — have fully banned non-compete agreements for nurses.²

The state of Rhode Island has already put this in place for physicians and should do the same for advanced practice registered nurses (APRNs). We are experiencing a shortage of APRNs and it is impacting access to and quality of care. The number of available beds is directly tied to the number of APRNs working on a particular shift. The more APRNs, the more patients that can be cared for. In addition, non-compete agreements impact quality of care due to the implications that losing one's job can have. An employee may not want to bring complaints or safety issues to management's attention if they fear retribution. This fear is amplified if they would not be able to obtain other employment due to a non-compete.

A recent survey by American Association of Nurse Practitioners (AANP) found that in the past 12 months nearly 50% of patients waited longer than one month — and 25% report waited more than two months for a health care appointment. Nurse Practitioners are poised to address this challenge, with almost 90% of these advanced practice providers trained to deliver primary care.³

¹ <https://www.natlawreview.com/article/healthcare-noncompete-laws-get-checkup-four-states-and-district-columbia>

² <https://nursejournal.org/articles/nurses-non-compete-agreement-new-york/#:~:text=A%20complete%20ban%20on%20non,they%20want%20to%20switch%20roles.>

³ <https://www.aanp.org/news-feed/five-health-care-trends-to-watch-in-2023>

The state of Rhode Island should be doing all it can do to ensure that our healthcare system has an adequate workforce. Eliminating non-compete agreements keeps APRNs working and leads to better care. AARP Rhode Island supports House Bill 7696 and asks you to recommend passage.

Sincerely,

A handwritten signature in black ink that reads "Matt R Netto". The signature is written in a cursive, slightly slanted style.

Matthew Netto
Associate State Director-AARP Rhode Island
Mnetto@aarp.org / 401-834-0524