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■ Explore Downtown
Atlanta Restaurants

■ The Benefits of Working
in a Teaching Hospital

■ Non-Compete
Agreements: What
You Should Know

Career Guide

RHEUMATOLOGY
ATLANTA, GA

November 2019



Fellowship Trained
or
BC/BE Rheumatology Physician

Rheumatology Associates of East Tennessee, a division of Summit Medical Group, is a 2-physician Rheumatology practice seeking a Fellowship trained or BC/BE Rheumatology physician to join their group.

The Rheumatology Group provides quality care in state-of-the art 8000 sq. ft. office space. The center includes 10 chair infusion center and on-site X-ray. Enjoy 4-5 day work week. Daily 16-18 patient load with 75 day wait time for appointment. 2 Advanced Practitioners staffed in office to ensure efficient patient flow.

Highlights of Rheumatology Career with SMG:

- Full benefits include health, life, dental
- Call rotated between physicians
- Partnership Tract
- 401(K) retirement match plan 5.7% of annual salary pension plan
- Paid Malpractice insurance
- Paid Vacation days
- Paid CME
- Affiliation with East Tennessee's largest Primary Care patient base
- No State Income Tax - Low Cost of living

Tennessee provides the backdrop for the good life! Whatever your interest or hobbies, Tennessee is home to urban places and wide-open spaces, with lots of scenic room to roam. Knoxville is the third largest city in the state of Tennessee with a metropolitan population of over 800,000. The city of Knoxville itself has a population of 185,291 and an unemployment rate of 2.9%. **Tennessee has no state income tax** and the cost of living is at 15.6% lower than the U.S. average. Knoxville was named one of 2019's "Tennessee's Coolest City" by AFAR travel magazine, one of the "Top 50 Best Places to Live in the USA" by U.S. News and World Report, "Top 100 Best Places to Live in America" 2019 by Livability, and named 2019 sixth Least Expensive Place to Live in 2018 Annual Average Cost of Living Index. Knoxville is developing a progressive science and technology corridor, which is quickly emerging, as a national leader in the areas of sustainable energy. .

Tennessee's lakes, rivers and parks provide the perfect setting for outdoor activities. The fine arts thrive alongside regional crafts and sports share the spotlight with great musical attractions. East Tennessee has a thriving economy and great public and private school system. Knoxville is home to the University of Tennessee, a major SEC member. McGhee Tyson Airport, a beautiful easy access airport, allows for uncomplicated travel within a 30 minute drive to downtown Knoxville.

About Summit Medical Group

Summit Medical Group is East Tennessee's largest primary care organization with more than 300 providers at 60 practice locations in 13 counties. Summit also consists of four diagnostic centers, mobile diagnostic services, eight physical therapy centers, four express clinics, central laboratory and sleep services center. Summit provides healthcare services to more than 260,000 patients, averaging over one million encounters annually. For more information, visit www.summitmedical.com



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What do you need to know about **Non-Compete Agreements**? Read on for answers.

Explore Downtown Atlanta Restaurants

Enjoy the big Peach's many restaurants, cafes and bars.

From American style cuisine to traditional Southern Barbecue, there is something for every taste and every budget in Atlanta. As you make your way to and from the convention center during your stay, you will more than likely pass one or more of the area's many restaurants, cafes and bars.

Downtown Atlanta has many great restaurants to explore; here are 10 that made our list:

Nikolai's Roof

With dishes like crispy pork belly, duck confit, and scallops, plus more than 900 wines, this is the perfect spot to bring a date.

Hilton Atlanta 255 Courtland St. NE | Atlanta, GA 30303
404-221-6362
nikolaisroof.com

Poor Calvin's

Poor Calvin's serves Asian fusion food with Thai and American influences. Go there for brunch and try the chicken and waffles.

510 Piedmont Avenue NW | Atlanta, GA 30308
404-254-4051
poorcalvins.com

Twin Smoker's BBQ

They've taken the best of barbecue to the next level and piled it on a plate for you. Their slogan is "BBQ Bourbon Atlanta".

300 Marietta Street NW | Atlanta, GA 30313
404-698-4707
twinsmokersbbq.com

Afrodish

The only food stand to make the list (part of the Sweet Auburn Municipal Market) serves traditional Jamaican and Caribbean fare. Stop by for black eyed peas, plantains, curries, and beef patties. Great for lunch or take-out.

209 Edgewood Ave SE | Atlanta, GA 30303
404-522-1054
municipalmarketatl.com/merchants/afrodish-restaurant

Alma Cocina

This upscale downtown joint is serving Latin/Mexican food in a modern setting, including braised lamb tacos, roasted chicken mole, and desserts such as Mexican Coke (yes, the soft drink) panna cotta.

191 Peachtree Street NE | Atlanta, GA 30303
404-968-9662
alma-atlanta.com

Cuts Steakhouse

Cuts does the steakhouse thing Georgia style, which means your perfectly grilled strip will come with a side of grits and pimento mac 'n' cheese.

60 Andrew Young International Blvd NE | Atlanta, GA 30303
404-525-3399
cutsatlanta.com

Max's Coal Oven Pizza

Serving 1,000-degree-charred NY-style pies and slices, from build-your-owns to the Bianca (ricotta, mozzarella, parmesan,



Atlanta has many great restaurants to enjoy. There are restaurants, cafes and bars for every taste and every budget.

confit garlic, & fresh basil). Everything made with house-made cheese and the chef's family recipe sauce.

300 Marietta Street NW | Atlanta, GA 30313
404-974-2941
maxsatl.com

White Oak Kitchen & Cocktails

The menu changes seasonally, but no matter what time of year you stop in, you can expect a Southern tinge in each of the simple, yet elegant dishes, like a charcuterie plate or deviled eggs – both with pimento cheese.

270 Peachtree Street NW | Atlanta, GA 30303
404-524-7200
whiteoakkitchen.com

Ray's In The City

Upscale setting for seafood, prime cuts & an extensive wine list, plus live jazz Thursday-Saturday.

240 West Peachtree St NW | Atlanta, GA 30303
404-524-9224
raysrestaurants.com/raysinthecity/home

La Grotta Ristorante

Voted the Best Italian Restaurant (Atlanta Magazine) for 18 years in a row. Classic Northern Italian pastas and antipastos in an upscale white linen space with a patio.

2637 Peachtree Street NE | Atlanta, GA 30305
404-231-1368
lagrottaatlanta.com ■

RHEUMATOLOGY LIVE WORK PLAY!



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Uptown Concerts
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Roosevelt's Little White House
Springer Opera House
National Infantry Museum
Callaway Gardens
RiverCenter for Performing Arts
Columbus Museum
Historic Liberty Theatre
Coca-Cola Space Science Center
Columbus Aquatic Center
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Rheumatology Physician – Beaumont Hospital Dearborn

Beaumont

The Department of Rheumatology at Beaumont Health System in Dearborn, Canton and Taylor are seeking Rheumatology candidates.

An exciting opportunity to join a very busy practice. Seeing 16 to 20 patients per day performing general rheumatology, joint injections and RA. 95% of the practice is outpatient and 5% inpatient. The office and hospitals use Epic for their EMR.

Beaumont, Dearborn (formerly Oakwood Hospital - Dearborn) has proudly served residents across southeastern Michigan since 1953. With 632 beds, Beaumont, Dearborn is a major teaching and research hospital and home to three medical residency programs in partnership with the Wayne State University School of Medicine. Beaumont, Dearborn is verified as a Level II trauma center and has been accredited by the Joint Commission as a primary stroke center. The hospital is also known for clinical excellence and innovation in the fields of orthopedics, neurosciences, women's health, heart and vascular and cancer care.

Beaumont Hospital, Taylor (formerly Oakwood Heritage Hospital), is a 189-bed hospital that is a recognized health care leader in the metro Detroit region. It has proudly served Taylor and surrounding communities since 1977 with specialty services that include 24-hour emergency care, hyperbaric and wound care, a surgical pavilion, a pain management clinic, orthopedic surgery, a mental health facility, inpatient physical medicine and rehabilitation and full-service radiology, including advanced CT and MRI.

Position will provide an opportunity for advancement with generous benefit package including:

- Professional Development funding
- Relocation Assistance
- Malpractice Insurance
- 200% 403b retirement match
- Educational Benefits for family members
- Over 4 weeks of vacation plus 12 paid holidays and bonus days
- Productivity Bonus opportunities

**To learn more, please send your CV via email to set up a phone interview to
Amy.Anstett@beaumont.org or fax to 947-522-1903.
Please visit: Beaumont - Dearborn and Beaumont Health**



Please visit: <https://www.beaumont.org/>



CONTRIBUTOR: MELANIE GRANO

The Benefits of Working in a Teaching Hospital

Many physicians will work in a teaching hospital during their residency years – perhaps longer if they chose to pursue a fellowship. But teaching hospitals are not only an essential workplace at the beginning of a physician's career – they have much to offer throughout your career.

Reason #1: Your Choice of Specialty

Teaching hospitals are the backbone of medical services in the USA. The nation's 1,000+ teaching hospitals train more than 100,000 new physicians and other health professionals every year. They disproportionately deliver specialized services, complex treatments and life-saving care, including 88% of comprehensive cancer care centers and 71% of all level-one trauma centers. This makes teaching hospitals a natural choice for physicians working in these specialized services.

Reason #2: A Culture of Excellence

In a 2016 article in the [Washington Post](#), Harvard medical professor David Silbersweig noted that “physicians in other settings routinely refer patients to teaching hospitals when they can't figure out what is going on, when there are complications, or when they have run out of treatment options.” A 2002 literature review by John Z Ayanian and Joel S Weissman looking at teaching hospitals and quality of care found that “for common conditions, particularly in elderly patients, major teaching hospitals generally offer better care than do nonteaching hospitals.” It is this commitment to delivering

excellent care that attracts the best and the brightest to our teaching hospitals.

Reason #3: Leading Edge Research and Treatment

One of the reasons teaching hospitals are highly regarded and able to offer such excellent care is because of the research and clinical trials that are undertaken by them. This ensures our teaching hospitals are the leaders in new treatments and cures. The possibility of being at the forefront of medical breakthroughs is a strong reason for choosing to work at a teaching hospital. But you don't have to be at the forefront of research to benefit from this aspect of a teaching hospital: the culture of teaching hospitals ensures that these analyses and breakthroughs are shared throughout the institution. Silbersweig argues, “only academic medical centers can provide the environment and expertise that advance the practice of medicine, and ultimately the health of society.”

Reason #4: Publishing Research

Being involved in leading-edge research doesn't only advance the care you are able to offer patients, there are personal advantages too. First, the ability to stay in the forefront of your chosen field. Second, publishing research or being co-author on an important paper based on the research conducted at your teaching hospital offers opportunities for career advancement you simply can't get at another institution. One of the world's most internationally recognized medical journals, the [BMJ](#), references the following benefits of publication for your career: “Career advancement. International recognition. Advancing



Teaching hospitals are the backbone of medical services in the USA training more than 100,000 new physicians and other health professionals every year.

medicine. An influx of funding. These are just a few of the benefits associated with publishing medical research in a peer-reviewed journal with a high impact factor.”

Reason #5: Travel

The benefits of participating in leading-edge research expands your boundaries beyond advancing standards of care and advancing your career. The possibility of national and international travel to present research findings are another major benefit. While the prospect of international travel might not be attractive to physicians who are already struggling to balance work and life with the needs of a young family or the other demands of home life, the prospect of being paid to present your findings to other leaders in your field in international centers of excellence is an undeniable attraction to some. If you have this opportunity, it’s worth referring to the presentation tips offered by the [American College of Physicians \(ACP\)](#).

Reason #6: More Opportunities to Learn

In training young doctors, Lara Goitein argues, “Medical education is essentially a verbal tradition: knowledge is imparted by physicians talking and demonstrating what they mean at the patient’s bedside much more than through the written word.” The teaching hospital offers the greatest opportunities to nurture your talent.

Reason #7: Being Mentored

The Institute of Clinical Research Education states, “Mentoring is the key for developing and sustaining a satisfying professional career.” The greater potential to connect with mentors is another powerful reason to choose to work at a teaching hospital. Compare this with the talent pool with whom you are able to connect in a small rural hospital and you can clearly see the advantage of working in a teaching hospital in terms of finding someone from whom you can learn and make a valuable personal connection.

Reason #8: Being a Mentor

The advantage of this wider talent pool in teaching hospitals works both ways. For more senior caliber staff, the opportunity to share your knowledge with passionate and motivated junior staff is compelling. Being a mentor is a rewarding experience and the teaching hospital environment offers far more potential for connecting with others whom not only share your specialty but whom share your passion.

Reason #9: Improved Career Prospects

For all these reasons, a teaching hospital offers one other major advantage: improved career prospects. Whether through mentoring, research, published articles or simply exposure to leading-edge treatments and technologies and high-caliber peers, working at a teaching hospital is good for your career.

Reason #10: Better Job Satisfaction

What's more, the culture of excellence and the enhanced opportunity for learning and knowledge-sharing in a teaching hospital are important contributors to increased job satisfaction. In an age when we are seeing a crisis in [physician burnout](#) and high numbers of people leaving the profession, job satisfaction is more important than ever – both on a personal level and for the profession and service as a whole. Of course, there is a role for mentors in modeling and supporting work-home balance, but the spiritual satisfaction of delivering the highest quality of care and sharing knowledge with peers and juniors helps to recharge depleted batteries and reconnect physicians with the reasons they went into the career in the first place.

Whatever stage you are in your career, working in a teaching hospital can be an incredibly rewarding experience; helping you to develop your career while offering you an opportunity to give back to those just starting theirs. ■

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ABOUT THE AUTHOR

Melanie Grano is a freelance business writer and 20-year Journalism veteran who regularly contributes to career-based publications, including *ThirdCertainty* and *Computer Times*.



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**ORTHOPEDIC
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OPAlaska.com/rheumatology

Alaska's premiere rheumatology group is hiring. As a rheumatologist in Wasilla, Alaska, you'll step into a strong, established practice, state-of-the-art facilities, and the most breathtaking scenery in the country.

Contact Tim Mullen at 907.644.5306 or tmullen@opaak.com.

Northern Light Maine Coast Hospital is seeking a full-time BC Rheumatologist to join a well-established specialty team in Hancock County, Maine. The right candidate will provide compassionate care in all aspects of rheumatology for patients of the community in an environment where both the provider and patient can benefit. This hospital-employed position will provide services between two Northern Light hospitals with no call and a flexible schedule. Both facilities have on-site imaging and bone density capabilities. In-hospital care is provided by an excellent hospitalist team and both emergency departments are staffed 24/7 with top-notch physicians.

For confidential consideration, please contact our Provider Recruitment team at ProviderJobs@northernlight.org or 207.973.5358.



 Northern Light Maine Coast Hospital

Rheumatologist

The University of Wisconsin is located in Madison, Wisconsin, which offers an outstanding lifestyle with excellent cultural, recreational, and educational resources.

The Division of Rheumatology has been a leader in the treatment of rheumatologic diseases for more than 25 years. We are seeking a Medical Doctor (MD) or Doctor of Osteopathic Medicine (DO) who has completed an accredited Rheumatology fellowship training program and is certified by the American Board of Internal Medicine (ABIM) in Rheumatology to join our group at the Assistant, Associate, or Full Professor level on the Clinical Health Sciences (CHS) track. Successful applicant must be eligible for Wisconsin medical licensure. This is not a tenure track position.

The primary responsibility of this position is to provide clinical care for patients with rheumatic diseases at UW Health locations. Academic duties will include clinical research and clinical teaching of fellows, residents, and medical students. Successful applicant will also have previous formal experience in teaching, both didactic and in the clinical setting, of Rheumatology to learners enrolled in a Liaison Committee on Medical Education (LCME) or American Osteopathic Association Commission on Osteopathic College Accreditation (AOACOA) accredited medical school and/or Accreditation Council for Graduate Medical Education (ACGME) accredited program.

Competitive salary with incentives and comprehensive benefits package. For consideration, please send CV and letter of interest to: Kevin McKown, M.D., Head, Division of Rheumatology, University of Wisconsin - Madison, km4@medicine.wisc.edu



School of Medicine
and Public Health
UNIVERSITY OF WISCONSIN-MADISON

The UW Madison is an EEO/AA employer; Wisconsin open records and Caregiver laws apply. A criminal background check will be conducted prior to offer of employment.



Rheumatology Opportunity
Chicago Northwest Suburbs
Crystal Lake, IL

Northwestern Medicine Regional Medical Group (NMRMG) is seeking a BE/BC Rheumatologist to join our outpatient practice in Crystal Lake, IL, located in the northwest suburbs of Chicago.

- Join a well-established busy practice setting.
- Medical Staff privileges at NM Huntley Hospital and NM McHenry Hospital.
- Employed full-time position with Northwestern Medicine Regional Medical Group.
- Successful and expanding multi-specialty physician group that promotes a collegial work environment, physician success and compassionate care.

Northwestern Medicine Regional Medical Group is the premier provider of healthcare services in Chicago's west and northwest suburbs, with more than 575 primary care physicians and specialists. Our team works together to provide excellent patient care and exceptional patient experiences using models that follow best practices in outpatient and inpatient settings. RMG offers competitive compensation and benefits within a physician led work environment.

Northwestern Medicine is a growing, nationally recognized health system that provides world-class care at 10 hospitals and more than 200 locations in communities throughout Chicago, the suburbs and northern Illinois. Together with Northwestern University Feinberg School of Medicine, we are pushing boundaries in our research labs, training the next generation of physicians and scientists, and pursuing excellence in patient care. Our vision and values are deeply rooted in the idea that patients come first in all we do. We value building relationships with our patients and their families, listening to their unique needs while providing individualized primary, specialty and hospital-based care. Our recent affiliations and ongoing growth make it possible for us to serve more patients, closer to where they live and work.

Melanie Harkins, B.S., FASPR | Manager, Physician Services | 630 933 5135 O | 630 933 1103 F | melanie.harkins@nm.org | <http://nm.org>

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Join Georgia's largest **physician-owned** multispecialty clinic.
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About Harbin Clinic Rheumatology

- Join a Well-Established Rheumatology Program
- An Expanding Practice and the Only Rheumatology Group Serving the Region
- 100% Rheumatology Opportunity
- Onsite Radiology – X-Ray, MRI, CT, DEXA, Nuclear
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- No Internal Medicine Call
- Teaching Opportunities
- Clinical Research Opportunities
- Collegial and Collaborative Work Environment
- The Autonomy of Private Practice in a Stable Group Setting
- Fully Integrated EHR, Electronic Prescribing and City-Wide PACs
- State-of-the-art Facilities Including Comprehensive Cancer Center, Heart Center, and Complete Range of Ancillary Services

About Rome & Northwest GA

Harbin Clinic offers physicians and their families the professional opportunities of a progressive practice with the quality of life unmatched in crowded urban environments. Just 90 minutes northwest of Atlanta.

The communities of Northwest Georgia boast a unique blend of hometown charm and international sophistication. NWGA is home to the Smithsonian-affiliated museums, top-flight resorts, advanced sports facilities and renowned cycling trails, recreational lakes and much more.

Harbin is affiliated with Emory, Augusta University, Morehouse College of Medicine, Philadelphia College of Osteopathic Medicine, Mercer University School of Medicine, Floyd Medical Center and Redmond Regional Medical Center.



For consideration or to learn more about Harbin Clinic, contact
Harbin Clinic Physician Services.

Robin Hice

rhice@harbinclinic.com

762-235-1027 / Fax: 706.235.3104

Sensational Opportunity for a Rheumatologist in the Four Corners

San Juan Regional Medical Center in Farmington, New Mexico is recruiting a BC/BE Rheumatologist to join a rewarding practice as a valuable member of our team. The successful candidate will enjoy fulfilling clinical work with the benefits of being a part of a hospital-employed physician group with 90 physicians and 40 advanced practice providers.

You can look forward to:

- Compensation up to \$275,000 base salary
- Productivity bonus incentive with no cap
- Lucrative benefit package, including retirement
- Sign on and relocation
- Student loan repayment
- Quality work/life balance

San Juan Regional Medical Center is a non-profit and community governed facility. Farmington offers a temperate four-season climate near the Rocky Mountains with world-class snow skiing, fly fishing, golf, hiking and water sports. Easy access to world renowned Santa Fe Opera, cultural sites, National Parks and monuments. Farmington's strong sense of community and vibrant Southwest culture make it a great place to pursue a work-life balance.



SAN JUAN REGIONAL
MEDICAL CENTER

Interested candidates should address their C.V. to:

Terri Smith | tsmith@sjrmc.net | 888.282.6591 or 505.609.6011 | sanjuanregional.com | sjrmcdocs.com

UPSTATE MEDICAL UNIVERSITY

The Department of Medicine at SUNY Upstate Medical University has a clinician/educator position available at the assistant or associate professor level for ambulatory practice, inpatient and consultation service, student and faculty development with potential research interest in autoimmune rheumatic diseases in their Rheumatology Division. MD or foreign equivalent, BC/BE in Rheumatology, NYS license or eligible. We are committed to high quality patient care, excellence in teaching and faculty development. Competitive salary, benefits and productivity incentive program are available. Assistance with immigration matters may be possible.

Interested applicants should send their CV to Deborah Tuttle, Upstate Medical University, Department of Medicine, 550 East Genesee Street, Suite 201, Syracuse, NY 13202 or email to tuttled@upstate.edu
Upstate Medical University is an AA/EEO/ADA employer committed to excellence through diversity. Applications from women and minorities strongly encouraged.

Rheumatologist New Hampshire

Seeking BC/BE fellowship-trained rheumatologist to join a 25 physician and 16 midlevel provider orthopaedic/musculoskeletal group practice offering subspecialists in hand surgery, foot surgery, sports medicine, pediatric orthopaedics, spine surgery, trauma, joint replacement, rheumatology and physiatry.

We are a successful, established practice with multiple sites, ancillary services including MRI, DXA and surgery center.

We offer a competitive salary and benefit package and are located in a beautiful part of New England which offers a superior living environment, including cultural and outdoor recreational activities available close to home/work.

Please contact:

Linda Hancock, Manager | linda.hancock@concordortho.com |
(603) 224-3368 x 2403 | 603-717-7356 Fax

Concord Orthopaedics
264 Pleasant Street | Concord, NH 03301-7500
www.concordortho.com



OUTPATIENT RHEUMATOLOGY MEMPHIS, TN

For Methodist Le Bonheur Healthcare, Leading Medicine is more than a description of what we do - it's who we are, and we'd like you to join us. Formed in 2010, Methodist Medical Group (MMG), is bringing together physicians in a collaborative effort to provide premier patient-centric care.

With locations throughout the Greater Memphis area, Methodist Medical Group (MMG) is dedicated to providing quality patient care to the entire family. MMG is proud to be a part of Methodist Le Bonheur Healthcare System and its family of hospitals, ensuring efficient access to specialty and hospital services whenever the need arises. As members of the Memphis community, MMG is committed to the well-being of its patients, providing the right care at the right time in convenient locations throughout the Memphis Area.

To support our dedicated family of physicians in these endeavors, MMG offers numerous benefits, including:

- Guaranteed base salary
- Sign-on Bonus
- Quality and performance-based bonus potential
- Generous benefits package and retirement options
- Malpractice insurance
- CME monies and time-off
- Relocation Assistance
- Operational and administrative needs addressed by the group's administration

We are seeking candidates who are Board Certified and/or Board Eligible in Rheumatology and a completion of a Rheumatology fellowship. Strong desire in an outpatient setting.

Physicians are asked to send a CV for consideration to:

Stephanie Wright, Director of Physician Recruitment
Methodist Le Bonheur Healthcare
1211 Union Avenue, Suite #330 | Memphis, TN 38104
Office: 901-478-0964 | Email: stephanie.wright@mlh.org

Non-Compete Agreements: What You Should Know



Physicians in the midst of a job search should be aware that signing a non-compete employment contract with their prospective employer could become expected in contract negotiations.

A physician restrictive covenant, also referred to as a “non-compete agreement,” is a clause in a physician’s contract whereby the physician (employee) agrees to disengage in competition with the employer for a prescribed period of time after he or she leaves that company’s employ.

Although it may seem insignificant, those lines in a contract can change your future. Healthcare attorney and a member of the law firm McDonald Hopkins LLC in Chicago, Steven M. Harris, Esq. advises physicians to consult with a lawyer who is well-versed in the laws of your state before signing a contract containing a non-compete clause. In addition, he says that when considering your next career move, getting a lawyer may help to shed some light on an impenetrable clause.

“I strongly recommend that no employee sign a non-compete without consulting with an attorney first,” concurs David Schein, an attorney who consults with medical practices on employment issues and serves as Director of Graduate Programs at the University of St. Thomas in Texas. Schein adds that an attorney experienced in this area can negotiate items such as a smaller geographic area or a shorter time restriction. Occasionally, people sign agreements without fully understanding the implications. Specialists in certain areas of medicine are in demand, so it makes sense for them to use any leverage upfront.


Non-compete contracts are a way for employers to guard their protectable interests (an employer’s advantage that once the employee-employment relationship ends would make it unfair to allow the employee to compete with it). In this area

of employment law, certain states do enforce non-compete agreements, though there is no national standard. What makes the non-compete clause so confounding is that they vary greatly in what they view as a reasonable non-compete. For example, non-competes in Texas often have geographic restrictions of “50-100 miles of the city where the employee practiced” according to Schein.

Some states bar its use in certain industries, such as medicine and law. In other states such as Connecticut and Rhode Island, laws passed in 2016 prohibit non-competes between employers and physicians.

Thomas Wassel, a partner with Cullen and Dykman in New York, asserts that without federal laws, time restrictions can vary by state. “Connecticut passed legislation that limits non-competes for physicians to one year and limits the geographic scope to 15 miles from the primary practice area,” he says. Two years is common in other states. If the non-compete has to do with a buy-out or merger, it can result in additional restrictions. “Practice buy-out or merger restrictions are enforceable in Texas and often run up to 5 years,” Schein points out. According to Wassel, medical practices in New York want “...to recoup their training and any other costs, such as professional memberships associated with their employee.” Meanwhile, Illinois courts look at “... the investment they (medical practices) have made in forming near-permanent relationships with their patients,” so courts may need to examine whether the practice markets regionally and other efforts to recruit and retain patients.

Robert W. Horton, Esquire of Bass Berry & Sims states, “For a non-compete to be enforceable, it must be considered “reasonable” and “reasonable” non-competes address issues related to geography (i.e. where someone can practice), scope (the work an employee performs in his/her new position),



Physicians should consult with a lawyer who is well-versed in the laws of their state before signing a contract containing a non-compete clause.

NON-COMPETE AGREEMENT

and time restrictions. Limitations are necessary for the non-compete to be enforceable.”

Protectable interest differs from state to state. States try to balance an employer’s protectable interest without appearing to support a restraint of trade (any action that interferes with free competition in a market). The non-compete is a bonding part of a contract, and a physician should fully understand his contract before he enters into it. Signing an agreement without understanding all of the ramifications can cause a person to lose money or professional opportunities.

In New York and Texas, a non-compete needs to offer something called “consideration” in order to be valid; this is when something of value is offered that can be objectively measured, such as a signing bonus. Wassel says, “Employers have to offer value for it. Doctors can fight if there is a no consideration. The mere fact of hiring the doctor can be adequate consideration, if properly documented.” Physicians can also challenge if the non-compete contains anything beyond “reasonable restrictions” to geography, scope and time. Courts may narrow non-competes though it does not mean that a judge will throw it out. Even if a judge agrees to narrow the time frame from two years to one year, a physician is still hampered by a one-year restriction.

For example, in April 2018, 92 doctors of Mecklenburg Medical Group (MMG) sued Atrium Health seeking release from restrictive work covenants and the right to form a standalone practice. Filed in Mecklenburg County Superior Court, the complaint, alleges the health system engaged in anti-competitive practices including non-compete agreements and compelling doctors to refer patients to Atrium facilities if they needed additional care.

At the time of writing, Atrium has agreed to release the physicians from the non-compete agreement and had informed them that their last day would be Aug. 31st. MMG attorneys are reviewing the agreement and how it affects the pending lawsuit.

Even if a physician does prevail in court, there are often substantial costs. Lawsuits are “very expensive initially because (your former employer) can get an injunction,” says Adi Amit, a partner with the law firm Lubell Rosen in Florida. An injunction is a judicial order that restrains a person from beginning or continuing an action that threatens or invades the legal right of another (in this case, a physician working for a new employer). “Legal fees, even for a brief round of injunction hearings, can run at least \$10,000 for each side,” cautions Schein.

Attorneys from a variety of states agree that the judge that hears the case influences the outcome. Amit says that in Florida, some judges are “pro-employee and some are pro-employer.” As there are no bright line rules, these agreements are so dangerous to sign.” In Texas, for example, non-compete agreements for physicians must contain a buy-out provision. This means the physician can buy-out his/her non-compete agreement for an agreed upon price.

Non-compete agreements are enforceable in every state but California. Also, the Colorado legislature amended its law on non-compete clauses to allow doctors to continue treating patients with rare diseases after they part with an employer. The bill became law in April 2018.

A physician’s specialty is an important fact of the case in some states. Amit says, “There is the issue of public safety.” Specializing in Zika research and treatment may influence the perception of a contract’s “reasonableness” in South Florida.

The American Medical Association's (AMA) guidance states doctors "should not enter into covenants that: (a) Unreasonably restrict the right of a physician to practice medicine for a specified period of time or in a specified geographic area on termination of a contractual relationship; and, (b) Do not make reasonable accommodation for patients' choice of physician." In fact, the AMA Code of Medical Ethics recommends that physicians avoid restrictive covenants whenever possible. Among its concerns are that they can limit access to care and disrupt care continuity.

Without a clear agreement and strong legal counsel, doctors could suffer significant financial losses as the result of a successful lawsuit. ■

Sources

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Medical group seeks to separate from Atrium Health in new lawsuit, Jenna Martin (April 2, 2018) - [Charlotte Business Journal](#)

Rheumatologist

The University of Wisconsin is located in Madison, Wisconsin, which offers an outstanding lifestyle with excellent cultural, recreational, and educational resources.

The Division of Rheumatology has been a leader in the treatment of rheumatologic diseases for more than 25 years. We are seeking a Medical Doctor (MD) or Doctor of Osteopathic Medicine (DO) who has completed an accredited Rheumatology fellowship training program and is certified by the American Board of Internal Medicine (ABIM) in Rheumatology to join our group at the Assistant, Associate, or Full Professor level on the Clinical Health Sciences (CHS) track. Successful applicant must be eligible for Wisconsin medical licensure. This is not a tenure track position.


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Rheumatologist

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The Division seeks a candidate who can add complementary interest and expertise in areas such as inflammatory arthritis, lupus, outcomes, quality measurement, emerging rheumatologic diseases, and/or diagnostic testing. Existing interest and expertise exists in the areas of Systemic Sclerosis, Spondyloarthropathies and Vasculitis. The ability to perform ultrasound assisted procedures independently would be an asset. The successful candidate will work effectively and collaboratively with colleagues and patients while maintaining high a quality of patient care and high patient satisfaction. A successful M.D. or D.O. applicant will fulfill the following requirements:

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Rheumatology

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