

GRADUATE MEDICAL EDUCATION

POLICY: NON-COMPETITION

GME Policy and Procedure Manual

Department Responsible Graduate Medical Education	Created 3/2/2016	Effective Date July 1, 2016	Next Review/Revision Date April 2021
Title of Person Responsible Designated Institutional Official	Approved Council: Graduate Medical Education Committee		Date Approved by Council June 1, 2016

Policy

Per ACGME requirements (IV.L.), the Sponsoring Institution must maintain a policy which states that neither the Sponsoring Institution nor any of its ACGME-accredited programs will require a resident/fellow to sign a non-competition guarantee or restrictive covenant.

Purpose

The purpose of this policy is to ensure that the Graduate Medical Education Committee (GMEC) is providing appropriate oversight regarding the use of restrictive covenants in trainee agreements per Accreditation Council for Graduate Medical Education (ACGME) Institutional Requirements.

A restrictive covenant, in its broadest sense, is a provision that precludes an employee from competing with the employer and/or from working for a competitor of the employer, for some period of time after the employment has been terminated. The Accreditation Council for Graduate Medical Education (ACGME) specifically prohibits the use of restrictive covenants in trainee agreements and requires the Sponsoring Institution to maintain a policy that prohibits programs from requiring a Resident/Fellow to sign a non-competition guarantee or restrictive covenant.

Restrictive Covenant: a non-competition guarantee.

Long Beach Memorial specifically prohibits the creation and enforcement of any Restrictive Covenants as a condition of Housestaff participation in Graduate Medical Education Programs. Neither the Sponsoring Institution nor its ACGME-accredited programs will require Housestaff to sign a non-competition guarantee or restrictive covenant.