

| Policy Title | Non-Competition                     |
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| ACGME Number | Institutional - V.L<br>Common – N/A |
| Page         | Page 1 of 2                         |

| POLICY                       |  |
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| <b>PURPOSE</b>               | The ACGME prohibits sponsoring institutions and their ACGME-accredited programs from requiring a resident or fellow to sign a noncompetition guarantee or restrictive covenant. This policy defines the MHS noncompetition policy for residents in accordance with the requirements promulgated by the ACGME institutional requirements.   |
| <b>SCOPE</b>                 | <p>The policy applies to all MHS-sponsored GME residency training programs, both accredited and non- accredited.</p> <p><i>Note:</i> In addition to being subject to specific policies and procedures required by all applicable accrediting bodies, GME Residents are also subject to policies and procedures applicable to MHS employees generally and enjoy those benefits of employment applicable to MHS employees of comparable classification.</p>                              |
| <b>ACRONYMS</b>              | ACGME — Accreditation Council for Graduate Medical Education<br>CAO — Chief Academic Officer<br>CMO (H) – Chief Medical Officer of individual hospitals in MHS<br>CMO (S) –Chief Medical Officer of MHS<br>CPME – Council on Podiatric Medical Education<br>DIO — Designated Institutional Official<br>GMEC — Graduate Medical Education Committee<br>MHS — Memorial Healthcare System<br>OAA – Office of Academic Affairs<br>PD — Program Director<br>RRC — Resident Review Committee |
| <b>DEFINITIONS</b>           | The term "resident" refers to all medical graduate trainees (interns, residents, fellows) in all postgraduate GME training programs sponsored by MHS.  |
| <b>PROCEDURES</b>            | The ACGME specifically prohibits the use of restrictive covenants in trainee agreements. Neither MHS nor any of its ACGME-accredited training programs will require residents to sign a noncompetition guarantee (restrictive covenant).   |
| <b>REFERENCES</b>            | ACGME Institutional Requirements, effective July 2022<br><br>ACGME Common Program Requirement, effective July 2023<br>ACGME Program Specific Requirements – most recent as per RRC specialty   |
| <b>ORIGINAL ISSUE DATE</b>   | July 2017<br><br>July 2022   |
| <b>REVIEW/REVISION DATES</b> | June 2020; July 2024   |
| <b>POLICY OWNER</b>          | Office of Academic Affairs   |

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| Page         | Page 2 of 2                         |

**POLICY OWNER  
CONT.**

If any of the statements contained in this policy conflict with any verbal statements or agreements made by any representatives of MHS, then the statements contained in this policy shall control the outcome of any such conflict.

Memorial reserves the right to modify this policy in whole or in part, at any time, at the discretion of the Healthcare System or as required by applicable law, regulation, or governing/accrediting body.

Employees who have questions regarding information contained in this policy should contact the Office of Academic Affairs.

This policy is intended to supplement standard MHS Human Resources (“HR”) policies. To the extent that this policy conflicts with any MHS HR policy, the standard HR policy shall govern and control.