



4-15-24

To Whom It May Concern,

I left the San Luis Valley of southern Colorado in 2017 because of a noncompete clause.

My first job in the San Luis Valley began in 2008 with Valley Wide Health Systems. I began my journey in the San Luis Valley as a National Health Service Corps scholar. Three years of my medical school tuition were paid for in exchange for 3 years of working in a HPSA score of 17 or higher. I worked in San Luis, the oldest town in Colorado and absolutely loved it. I continued to work for Valley Wide Health Systems and additional 5 years after my scholarship ended. I made friendships that persist and greatly enjoyed my time working with VWHS in severely underserved areas of Colorado.

In 2015, I was frustrated with the way medicine was being practiced, it felt more like a business than an outreach and I changed jobs to work for the hospital, SLVRMC. I was asked to sign a noncompete agreement as part of my contract. I had never signed one before. I was concerned about doing so, but the HR director was a close family friend and he let me know that it would be ok, that it would never be enforced, and gave an example of a physician practicing across the street for the clinic in La Jara. So, I signed it.

I had been unhappy with the way medicine was practiced in larger institutions and had tried for many years to fix the issues internally by joining all kinds of committees, taking on medical director roles, etc. But the pressures to see patients quickly and to see one problem per visit persisted. I started looking for additional ways to practice medicine and had become very interested in Direct Primary Care. After a significant amount of research, I wanted to open my own practice, a membership type model, where I could spend as much time as a patient needed and where I would have more ongoing contact with patients.

I had all intentions of opening my DPC practice in Alamosa where I lived with my husband and 2 children. I had a location for my new clinic and had a verbal arrangement with the landlord. I had purchased furniture. I had thorough plans for my new DPC clinic and was planning to open doors soon.

However, representatives of SLVRMC repeatedly warned me that I had signed a noncompete and if I opened my own practice anywhere in the SLV (which is 122 miles in length), I would be in violation of that noncompete.

I considered working for 2 years in Salida, a 2 hour drive, because it is one of the nearest towns outside of the SLV, but DPC did not seem possible from such a distance since I would be "on call" for patients. I wanted to stay in Alamosa and open my clinic, and that meant I would likely have to fight against the noncompete. I hired a lawyer and spent over \$5,000 in consultation. In the end, she said that it would be difficult for a noncompete of the entire SLV to be enforced but that I may still have to fight this in court for many years.

I did not give up yet. I spoke to several influential community members to let them know how this non-compete was affecting the ability of physicians to stay in Alamosa, and to ask for any advice. No one seemed to have an answer.

Then one day while on a run in the Blanca wetlands, one of my favorite places, I realized I could not stay. I could not bear the fear of fighting this noncompete in court for many years hanging over my head. I spoke to my husband, and we decided we had to move. That run was in late October 2016 and we moved in January 2017. We moved our kids mid-year in school.

My family loved and still loves Alamosa. My son and daughter have flown to visit their friends numerous times. For them, Alamosa will always be home. We have so many amazing memories from our 10 years there. My son was 3 and my daughter 8 months old when we moved to Alamosa. They are now 18 and 16. My son flew out to go to his senior prom in Alamosa. We have visited every year. I fly out to hike with friends every summer. My husband flies out to hunt. My kids keep in contact with their friends and our old neighbors.

When we left Alamosa, we moved to my hometown because we thought that would be the easiest move with such short notice. We planned to move back to Alamosa after 2 years, after the noncompete had expired. But, after 2 years, it became obvious how difficult a move can be on children. I did not want to do that again to my children.

When I moved to Indiana, I took a job with the local hospital as that was the best possibility to have a steady income quickly, and I refused to sign a noncompete. I explained that if I left, I would be starting a small DPC clinic of likely around 300 patients that would not in any way compete with the hospital. They respected my wishes and offered me an amazing income and 3 day a week schedule. One year later I opened my clinic a couple of miles from the hospital. We have a very amicable relationship and work together to bring excellent patient care.

My DPC practice is full and thriving and I am practicing medicine in a way that provides excellent care to patients and is extremely fulfilling to me as a physician. My children are also thriving and maybe it was meant to work out this way, but leaving Alamosa was extremely difficult for all of us. We loved our life there and our friends there. I am flying out soon to visit my best friend's daughter, who was a patient of mine, who is about to deliver her first child.

I believe Colorado would greatly benefit from eliminating non-compete clauses. I am personally an example of a physician who would have stayed and continued to practice medicine there. My family and I love Colorado and it still feels like home to us.

Sincerely,

Amy Glaser-Carpenter D.O.