Office of the New York Attorney General

Letitia James Attorney General

VIA EMAIL

November 20, 2026

St. Peter's Health Partners Medical Associates, P.C.
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Re: CEASE AND DESIST NOTIFICATION

To Whom It May Concern:

The New York State Office of the Attorney General is extremely concerned by allegations in the public record[1] that St. Peter's Health Partners Medical Associates, P.C. ("St. Peter's") is interfering with or deterring cardiologist employees who plan to leave St. Peter's in the near future from freely communicating their future practice affiliation to their patients. Moreover, public statements from St. Peter's have failed to adequately inform patients of the significant changes anticipated in its cardiology practice to allow for continuity of care. Withholding this critical healthcare information from patients endangers continuity of patient care for tens of thousands of cardiac patients in the Schenectady area with serious health conditions.

St. Peter's is advised to immediately cease and desist instructing its employees, including all Cardiology Associates of Schenectady employees, that they cannot share future practice plans with patients. Impeding physician-patient communication and threatening patient continuity of care runs counter to New York's paramount public interest in ensuring the health and safety of its citizens, and violates minimum standards set by 10 N.Y.C.R.R. § 405.20 for outpatient services and ensuring continuous patient care by the same health care provider. Moreover, misleading patients about the future practice locations and availability of their current physicians would violate New York's consumer protection statutes, Executive Law § 63(12) and General Business

[1] *See St. Peter's Health Partners Medical Associates, P.C. v. Dibble*, Index No. 911090-26 (Sup. Ct. Albany Cnty.), Dkts. 18, 19, 28.

Law Article 22-A §§ 349 and 350, which prohibit unfair, fraudulent, and deceptive business practices. This conduct also betrays St. Peter's stated charitable mission of "provid[ing] health care services."

We also advise you that restrictions on labor mobility, such as non-solicitation or noncompete restrictions, implicate New York's strong public interest in free competition. "The clear public policy of New York, as reflected in the Donnelly Act, is against restrictive covenants in the employment context." *Bus. Foods Serv., Inc. v. Food Concepts Corp.*, 533 F. Supp. 992, 996 (E.D.N.Y. 1982) (citing *Triple D&E Inc. v. Van Buren*, 339 N.Y.S.2d 821, *aff'd*, 346 N.Y.S.2d 737 (1973)). Accordingly, "New York courts adhere to a strict approach to enforcement of restrictive covenants because their enforcement conflicts with 'the general public policy favoring robust and uninhibited competition,' and 'powerful considerations of public policy which militate against sanctioning the loss of a man's livelihood.'" *Am. Inst. of Chem. Eng'rs v. Reber-Friel Co.*, 682 F.2d 382, 386-87 (2d Cir. 1982) (quoting *Am. Broadcasting Companies, Inc. v. Wolf*, 52 N.Y.2d 394, 404 (1981)). Indeed, courts invalidate restrictive covenants if enforcement would be "injurious to the public." *BDP Seidman v. Hirshberg*, 93 N.Y.2d 382, 389 (1999).

Within the next ten business days, please contact the undersigned to confirm that St. Peter's has complied with this directive. Your failure to comply may result in further action by this office.

Sincerely,

/s/ Meghan Faux

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