



Department of Justice

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**DEPARTMENT OF JUSTICE/FEDERAL TRADE COMMISSION HEARINGS TO
FOCUS ON HEALTH CARE AND COMPETITION LAW AND POLICY**

Initial Hearing Scheduled for February 26, 2003

WASHINGTON, D.C. – The Department of Justice's Antitrust Division and the Federal Trade Commission (FTC) today announced that their joint hearings on "Health Care and Competition Law and Policy" will begin with three days of hearings on February 26-28, 2003. The hearings on February 26, 2003, will provide an introduction to basic questions about how competition works or should work to reduce costs and increase quality in health care markets. The hearings on February 27, 2003, will provide a diverse array of perspectives on the health care marketplace and competition law and policy. The hearings on February 28, 2003, will detail market conditions in two health care markets (Boston and Little Rock, Arkansas) to provide a frame of reference for the balance of the hearings.

The February 2003 hearings will be held in Washington, D.C. at the Federal Trade Commission building at 601 New Jersey Avenue, N.W. The general public and press are invited to attend. Seating will be on a first-come, first-served basis. Written comments from interested parties may be submitted to the FTC. Further details, including the identity of specific witnesses for the February 2003 hearings, will be released at a later date.

The February 2003 hearings mark the beginning of the agencies' extended examination of the state of the health care marketplace and the roles of competition, antitrust enforcement, and consumer protection in satisfying consumer preferences for high-quality, cost-effective

health care.

Specific topics that will be covered in subsequent months include consolidation among health care providers and insurers, hospital mergers, the significance of non-profit status, vertical integration among health care providers, monopsony power, quality of care, the boundaries of the state action and *Noerr-Pennington* doctrines, and the adequacy of existing remedies for anticompetitive conduct. Further details on subsequent hearings will be released shortly.

The Antitrust Division and the FTC plan to hold three to five days of hearings per month between March 2003 and October 2003, exclusive of August 2003. The agencies anticipate that the hearings will culminate with the preparation of a comprehensive joint report.

Further information about these hearings will be posted on the Antitrust Division's web site, <http://www.usdoj.gov/atr/hchearing.htm> and the FTC's web site, <http://www.ftc.gov/ogc/healthcarehearings> as it becomes available.

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