

November 8, 2021

ATTORNEY GENERAL RAOUL FILES BRIEF OPPOSING ANTICOMPETITIVE HOSPITAL MERGER
Raoul Urges Court to Preserve Access to Care by Upholding Injunction Barring Merger

Chicago — Attorney General Raoul, as part of a coalition of 26 attorneys general, today urged the U.S. Court of Appeals for the 3rd Circuit to uphold a lower court’s decision that temporarily stopped a merger of hospitals in New Jersey that would have reduced competition between the hospitals and resulted in anticompetitive effects on the community.

“The COVID-19 pandemic highlighted the critical need for residents to have access to affordable quality health care, and preserving competition within the industry is key to improving access and affordability,” Raoul said. “My office has opposed hospital mergers in Illinois that would stifle competition, and I will continue to partner with other attorneys general to stop the concerning increase in consolidations that increase health care costs for patients.”

[In the brief](#), Raoul and the coalition point out that the merger at the center of *Federal Trade Commission v. Hackensack Memorial Hospital and Englewood Healthcare Foundation* is part of a trend. States around the country have experienced a wave of consolidation in health care, which has resulted in higher prices without any substantial improvements in quality for patients. States have a strong interest in ensuring the availability of affordable and accessible quality health care for their citizens. According to Raoul and the coalition, this interest is best served by protecting vibrant competition in local health care markets.

Raoul’s brief emphasizes the importance of preserving local access to health care services for residents. Raoul and the attorneys general argue that the lower court correctly and properly analyzed the merger under the antitrust laws and applied the appropriate economic models. Raoul also notes that the lower court’s decision is consistent with *FTC v. Advocate Health Care Network*, a 7th Circuit decision that resulted in a preliminary injunction requested by the FTC and the Illinois Attorney General to stop the merger of Advocate Health Care Network and NorthShore University HealthSystem.

Joining Raoul in filing today’s brief are the attorneys general of California, Colorado, Connecticut, Delaware, the District of Columbia, Guam, Idaho, Indiana, Maryland, Massachusetts, Michigan, Minnesota, Nebraska, New Hampshire, New Mexico, New York, Nevada, North Carolina, North Dakota, Oregon, Pennsylvania, Rhode Island, Virginia, Washington and Wisconsin.”