



March 24, 2023

Members of the Minnesota House Judiciary Finance and Civil Law Committee
Room 5 State Office Building,
100 Rev Dr Martin Luther King Jr. Boulevard, St Paul, MN 55155

RE: House File 402 (Health care entity transaction notice, review, and approval required)

Dear Members of the Minnesota House Judiciary Finance and Civil Law Committee,

The Minnesota Ambulatory Surgery Center Association (MNASCA) is a statewide, non-profit trade association representing the interests of ambulatory surgery centers (ASCs) in Minnesota. The Minnesota Medical Group Management Association (MMGMA) serves medical practice executives, managers and their organizations, further enabling them to recognize and improve the health status of the community of patients they serve.

We are writing to express concerns with the approach taken in House File 402, which would place requirements for the sale of healthcare entities and oversight by the Attorney General and Department of Health, and authorize the Attorney General and the Commissioner to bring action in district court in health care entity transactions with a look-back period of five years.

We are concerned that this language will be problematic for physician-owned practices, the ASC setting and all other healthcare entities which participate in standard market acquisitions, and sales. This additional red-tape could place Minnesota providers at a disadvantage in the health care marketplace.

We recognize the challenges with the Fairview and Sanford merger, but this legislation goes beyond nonprofit healthcare entities. The \$10 million threshold is low and captures a huge part of the private health care market. If this language seeks to address anti-trust and/or anti-competitive transactions, the Attorney General currently has oversight and authority to address these situations.

This bill will make significant and profound changes to the health care marketplace, and have a potentially detrimental impact to our Minnesota Healthcare providers.

We look forward to working with Representative Bierman on finding ways to improve the bill.

Sincerely,

Tracy Mills
MNASCA

Mike Foley
MMGMA

CC
Rep. Robert Bierman