

# Healthcare Market Concentration Workshop: State-Based Approaches Program Agenda

Friday, May 6, 2016  
Berkeley City Club

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**8:00 – 8:45am – Breakfast, Drawing Room - Berkeley City Club**

**8:45 – 9:15am: Introduction by Richard M. Scheffler**, PhD; Distinguished Professor of Health Economics and Public Policy, Director, Nicholas C. Petris Center, School of Public Health, University of California Berkeley

**9:15am – 10:45pm: Panel 1: Healthcare Market Concentration and Merger/Acquisition Trends.**  
In this panel, speakers and commentators will summarize healthcare market concentration trends as well as merger and acquisition trends, with a particular focus since the enactment of the Affordable Care Act.

**Chair: H.E. (Ted) Frech III** – PhD, Professor of Economics, College of Letters and Science and Professor of Technology Management, College of Engineering at the University of California, Santa Barbara

**Panelists** (*20 minutes per presentation, commentaries, followed discussion*)

1. **Brent Fulton**, PhD, MBA; Assistant Adjunct Professor Health Economics and Policy; Associate Director, Nicholas C. Petris Center, School of Public Health, University of California, Berkeley & **Daniel Arnold** – PhD Candidate University of California, Santa Barbara, Student researcher Nicholas C. Petris Center, University of California, Berkeley
2. **Richard M. Scheffler**, PhD; Distinguished Professor of Health Economics and Public Policy, Director, Nicholas C. Petris Center, School of Public Health, University of California Berkeley & **Matthew Valeta** – MPP Candidate, Goldman School of Public Policy, Student researcher Nicholas C. Petris Center, University of California, Berkeley

**Commentators:**

**Deborah Haas-Wilson** – PhD, Visiting Professor of Public Policy, Harvard Kennedy School, Marilyn Carlson Nelson Professor of Economics at Smith College

**H.E. (Ted) Frech III** – PhD, Professor of Economics, College of Letters and Science and Professor of Technology Management, College of Engineering at the University of California, Santa Barbara

**Ron Levy** - MHA, Executive in Residence, Department of Health Management & Policy, College for Public Health & Social Justice, Saint Louis University

**10:45 - 11:15 – Break**

**11:15 – 12:45: Panel 2: Antitrust and Public Interest in Health Care Acquisitions: At the Cross-Roads.** In this panel, speakers and commentators will explore the role and limits of antitrust versus the role and limits of public interest, in reviewing health care payer and provider acquisitions. They will



explain antitrust analysis applicable to payer and to provider acquisitions and explore the latest economic thinking and defenses. They will conclude by suggesting how a combined antitrust/public interest review of acquisitions could play an important role, in conjunction with legislation as found in Massachusetts, Rhode Island, or California's transparency laws, in striking a careful balance for these acquisitions.

**Chair: Kathleen Foote** – JD; Senior Assistant Attorney General and Antitrust Chief, Attorney General’s Office, State of California

**Panelists** (15 minutes per presentation, commentaries, followed discussion)

1. **Emilio Varanini** – JD, Deputy Attorney General in the Antitrust Section of the California Attorney General's Office
2. **Thomas L. Greaney** – JD, Chester A. Myers Professor of Law, Co-Director, Center for Health Law Studies, Saint Louis University School of Law

**Commentators:**

**Sherry Glied [BY PHONE]** – PhD, Dean and Professor of Public Service, Wagner School of Public Service, New York University

**Ron Levy** - MHA, Executive in Residence, Department of Health Management & Policy, College for Public Health & Social Justice, Saint Louis University

**Robert Berenson** – MD, Institute Fellow, Urban Institute; Visiting Scholar Nicholas C. Petris Center, School of Public Health University of California, Berkeley

**12:45 –1:45 - Lunch**

**2 – 3:30: Panel 3: State Options for Addressing Market Concentration: Lessons from the United States and Europe.** In this panel, the speakers will provide an overview of the potential activities states are primed to undertake to prevent the development of and address the consequences of market concentration. They will present the range of options as a way of gauging where the Market Concentration Advisory Committee could focus additional analysis and policy proposals during the remainder of the project through 2017. Furthermore, the speakers will explain how multiple European countries are grappling with healthcare market concentration issues and discuss reforms in the United Kingdom and Netherlands, which may offer lessons for the United States.

**Chair: Bruce Hinze** – JD, Senior Health Policy Attorney at California Department of Insurance

**Panelists:** (25 minutes per presentation, commentaries, followed discussion)

1. **Robert Berenson** – MD, Institute Fellow, Urban Institute; Visiting Scholar Nicholas C. Petris Center, School of Public Health University of California, Berkeley

**Commentators:**

**Emilio Varanini** – JD, Deputy Attorney General in the Antitrust Section of the California Attorney General's Office



**Thomas L. Greaney** – JD, Chester A. Myers Professor of Law, Co-Director, Center for Health Law Studies, Saint Louis University School of Law

**3:30 – 4 – Coffee Break**

**4 – 5:30pm - Implementing a State-Based Approach in California; Lead by Richard M. Scheffler**, PhD; Distinguished Professor of Health Economics and Public Policy, Director, Nicholas C. Petris Center, School of Public Health, University of California Berkeley & **Thomas L. Greaney** – JD, Chester A. Myers Professor of Law, Co-Director, Center for Health Law Studies, Saint Louis University School of Law

**Commentators:**

**Sherry Glied [BY PHONE]** – PhD, Dean and Professor of Public Service, Wagner School of Public Service, New York University

**Kathleen Foote** – JD; Senior Assistant Attorney General and Antitrust Chief, Attorney General’s Office, State of California

**Stuart Altman [BY PHONE]** – PhD, Chair of the Massachusetts Health Policy Commission; Sol C. Chaikin Professor of National Health Policy at the Heller School for Social Policy and Management; Brandeis University

**5:00 – 8:00 – Reception and Dinner – Member’s Lounge Berkeley City Club**