**Keep Our Care Act**

WHEREAS, mergers and acquisitions between health care entities i.e., hospitals, hospital systems, and provider organizations are prolific across the country and in Washington State, negatively impact cost, quality, wait times, and access to quality health care services; and

WHEREAS, in Washington State these health care entity consolidations receive minimal oversight, allowing large health care systems to dictate patients’ access to care, including reproductive, end-of-life, and gender-affirming care; and

WHEREAS, mergers and acquisitions have been proven to drive up costs for patients in Washington State, leaving communities without access to quality public health care; and

WHEREAS, in 2017 Washington’s Attorney General sued CHI Franciscan for consolidations that resulted in raised prices, increased wait times, and reduced services and locations resulting in a 2019 court order in which CHI Franciscan had to pay up to $2.5 million to resolve a federal antitrust lawsuit[[1]](applewebdata://607EE1DC-5E85-421F-AE2F-2ED48979655A" \l "_ftn1" \o "); and

WHEREAS, A recent study by The New England Journal of Medicine found that hospital acquisitions are associated with moderately worse patient experiences. Washington hospital data indicates that our health system ranks poorly in quality measures, with patient satisfaction scores that are lower than independent hospitals; and

WHEREAS, these consolidations restrict staff, in faith-based consolidated care centers, from providing legal, critical services, and yet they continue to take taxpayer dollars. Due to these consolidations and mergers, Washington State’s hospitals were in 2020 48% religious based[[2]](applewebdata://607EE1DC-5E85-421F-AE2F-2ED48979655A" \l "_ftn2" \o "); and

WHEREAS, mergers and acquisitions exacerbate systemic inequities. Private health systems’ efforts to increase revenues leads to worsening health care access and outcomes for Medicaid patients, disproportionately People of Color. About 30% of the population in Washington State identifies as non-white, but over 40% of WA State Apple Health patients are People of Color; and

WHEREAS, states such as Massachusetts and Oregon have regulations which require oversight of mergers & acquisitions of health care entities. [[3]](applewebdata://607EE1DC-5E85-421F-AE2F-2ED48979655A" \l "_ftn3" \o ");

THEREFORE, BE IT RESOLVED THAT, the 32nd LD Democrats urge our Washington State legislators to pass and the governor to sign the Keep Our Care Act, to join other states, such as Massachusetts and Oregon:

1.      To prohibit health care entity consolidations that diminish access to affordable quality care;

2.      To require Attorney General oversight, compliance, and enforcement power to ensure health care consolidations do not negatively impact access to health care services

3.      To institute a health equity assessment so that consolidations/mergers address the needs of marginalized communities; and

4.      To institute public hearings and comment opportunities prior to proposed consolidations.

THEREFORE, BE IT FINALLY RESOLVED that a copy of this resolution will be sent to the WA State Legislators and the Governor.

Submitted by Carol McMahon, PCO

Adopted April 6, 2022

[[1]](applewebdata://607EE1DC-5E85-421F-AE2F-2ED48979655A" \l "_ftnref1" \o ") <https://www.atg.wa.gov/news/news-releases/attorney-general-ferguson-chi-franciscan-will-pay-25-million-over-anti>

“Privately, in documents obtained during the Attorney General’s Office’s investigation, officials at CHI Franciscan and The Doctor’s Clinic (TDC) discussed the deals as a boon to their bottom line and harmful to patient care.  CHI Franciscan’s Chief Financial Officer, Mike Fitzgerald, wrote in an email: ‘I am all for taking advantage of hospital-based pricing. … It would be great to drop a couple of million more to our bottom line, if we think we can do it.’”

TDC’s former physician president succinctly summarized these effects …: “I can’t wait to hear how CHI [Franciscan] messages the addition of TDC to [Franciscan Medical Group]. ‘You can now get your outpatient care in a complex, relatively unsafe, and vastly more expensive location. You are welcome, Kitsap County…’”

[[2]](applewebdata://607EE1DC-5E85-421F-AE2F-2ED48979655A" \l "_ftnref2" \o ") <https://khn.org/news/hospital-merger-in-washington-state-stokes-fears-about-catholic-limits-on-care/>

[[3]](applewebdata://607EE1DC-5E85-421F-AE2F-2ED48979655A" \l "_ftnref3" \o ") <https://olis.oregonlegislature.gov/liz/2021R1/Downloads/MeasureDocument/HB2362> and <https://www.mass.gov/service-details/information-about-material-change-noticescost-and-market-impact-reviews>