



## Federal Trade Commission – April 14

### "Listening Forum on Firsthand Effects of Mergers and Acquisitions: Health Care"

Good afternoon. I am Gillian Schmitz, President of the American College of Emergency Physicians.

Many people aren't aware that emergency medicine physicians work in a variety of employment models. While some are employed directly by hospitals, many are employed by independent entities that contract with the hospital to provide emergency department coverage 24x7. Lately, a high number of these independent practices have been acquired by hospitals, health systems, and corporate entities (such as private equity and health insurance companies).

The recent questionnaire we put out to our members clearly demonstrated negative first-hand impacts of mergers and acquisitions on our workforce.

More than half indicated their medical decision-making autonomy was negatively impacted by merger or acquisition of their employer. Emergency physicians train for years and are highly skilled in diagnosing and treating medical conditions in the most urgent situations. Interference in their medical decision making can significantly impact safety and quality of care for patients.

More than half indicated their due process rights worsened or were eliminated after a merger. Due process plays a foundational role in ensuring a physician can carry out their promise to patients without fear of retribution or termination by their employer, so further erosion in contracts following acquisition is a significant concern.

Many said the current working conditions in their large, national physician groups or hospital systems have them considering quitting medicine altogether. They feel trapped in a system that does not respect their autonomy or mental well-being and have no other options available for them and their families. A significant exodus of emergency physicians from the workforce threatens the healthcare safety net that emergency medicine provides, and the last two years have shown how very important that net is.

We urge FTC and DOJ to include detailed review of these types of labor-related impacts in its updated guidelines and follow-through on investigating those mergers that have led directly to the anti-competitive and harmful practices impacting our livelihoods.

Thank you.