

The Source Convenes Interdisciplinary Panel of Experts and Stakeholders to Inform Policies to Promote Competition in Health Care

On November 13, The Source on Healthcare Price & Competition and the UC Berkeley Petris Center jointly hosted a virtual convening of some of the leading experts in law and economics in a workshop to review and evaluate current findings of our collaborative research series “The Role of States in Promoting Competition in Healthcare: A Legal and Economic Analysis.” Our research analyzes how state merger review authority and regulation of contracts between providers and insurers affect the price of healthcare services and insurance premiums.

The interactive workshop, supported by Arnold Ventures, brought together a panel of academics, economists, and regulators in a lively discussion of the implications of the intersection of our legal and economic findings for policymakers. In the first session of the workshop, we presented legal research and findings from our first report on state tools to improve oversight of healthcare mergers and acquisitions. In addition, we discussed our working paper analyzing the impact of different forms of state merger review authority on consolidation and health care costs. In the second session, we presented the same on anticompetitive contract terms, specifically analyzing when these contract terms are used to increase healthcare prices and premiums. We then discussed state tools to identify and limit their uses.

This event was a successful interdisciplinary exchange between legal and economic experts that is at the heart of The Source’s mission. The insights from the expert panelists and stakeholders will help ensure that the results from this joint project are as robust and actionable as possible and be incorporated in the final reports containing our results and a range of best practices for policymakers to consider.

Download and explore all of our published research findings and analyses in the collection below:

State Merger Review Authority:

Conducted 50-state survey of statutes, regulations, and antitrust enforcement actions and identified best practices that state policymakers should consider to enhance oversight of anticompetitive mergers and other affiliations in healthcare.

- [Research report](#): “Preventing Anticompetitive Healthcare Consolidation: Lessons from Five States”
- [Market Consolidation Interactive Page](#) with trend maps and data charts
- [Presentation slides](#) of Legal Research and Analysis

Anticompetitive Contract Clauses:

Conducted 50-state survey that examines the potential for state policymakers and regulators to increase scrutiny over the anticompetitive use of six contracting practices - most-favored-nations clauses, all-or-nothing provisions, exclusive dealing arrangements, anti-tiering/anti-steering clauses, gag clauses, and non-compete provisions.

- [Research report](#): “Preventing Anticompetitive Contracting Practices in Healthcare Markets”
- [Provider Contracts Interactive Page](#) with trend maps and data charts
- [Presentation slides](#) of Legal Research and Analysis