

The FTC's Annual Report Shows Continued Interest in Health Care

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In April 2020, the Federal Trade Commission (“FTC”) released its [annual report](#) for 2019. The FTC’s annual report details the FTC’s actions over the prior year. In 2019, similar to other years, the health care industry represented 46 percent of the FTC’s competition enforcement actions. That 46 percent was split between general health care (18 percent) and pharmaceuticals and medical devices (28 percent). The report stated the following:

The Commission has long prioritized competition in health care markets because such competition helps contain costs, improves quality, increases access, and encourages innovation. Relying primarily on enforcement, the Commission works to prevent anticompetitive mergers and conduct that would harm competition in these markets.

While 2019 did not include any enforcement actions against hospitals, the FTC did bring actions against other types of providers in the health care industry. In addition, as it normally does, the FTC provided comments and guidance to state governing bodies addressing professional practice issues and filed two amicus briefs related to the issue of state action immunity.

The to-date and current activities by the FTC suggest that 2020 will be yet another year in which the agency largely focuses on the health care sector.

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National Law Review, Volume X, Number 163

Source URL: <https://natlawreview.com/article/ftc-s-annual-report-shows-continued-interest-health-care>