



General Assembly

January Session, 2015

***Raised Bill No. 1120***

LCO No. 5522



Referred to Committee on JUDICIARY

Introduced by:  
(JUD)

***AN ACT CONCERNING APPLICATION OF THE STATE'S ANTITRUST LAWS TO HOSPITAL MERGERS AND ACQUISITIONS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 35-28 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2015*):

3 (a) Without limiting section 35-26, every contract, combination, or  
4 conspiracy is unlawful when the same are for the purpose, or have the  
5 effect, of: [a] (1) Fixing, controlling, or maintaining prices, rates,  
6 quotations, or fees in any part of trade or commerce; [b] (2) fixing,  
7 controlling, maintaining, limiting, or discontinuing the production,  
8 manufacture, mining, sale, or supply of any part of trade or commerce;  
9 [c] (3) allocating or dividing customers or markets, either functional or  
10 geographical, in any part of trade or commerce; or [d] (4) refusing to  
11 deal, or coercing, persuading, or inducing third parties to refuse to  
12 deal with another person.

13 (b) A merger, acquisition or combination of merger and acquisition  
14 involving two or more hospitals, as defined in section 19a-490, shall be

15 unlawful unless each hospital that is a party to such merger,  
16 acquisition or combination of merger and acquisition demonstrates to  
17 the satisfaction of the Office of Healthcare Access and the office of the  
18 Attorney General that such merger, acquisition or combination of  
19 merger and acquisition shall not lessen competition among hospitals  
20 nor increase prices for inpatient and outpatient services.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2015</i>	35-28

**Statement of Purpose:**

To ensure that consumer access to health care is not adversely impacted by hospital mergers and acquisitions.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*