

**From:** [Tunde Holdren](#)  
**To:** [Maguire, Jill \(ATR\)](#)  
**Cc:** [HR Aviator](#); [Michele Finstad SVPS](#); [Tonya Shierry, RN, Executive Director](#); [Dusty Anderson](#); [Sherry Hawkins Billing Director](#)  
**Subject:** [EXTERNAL] Public Comment Opposing the Proposed Final Judgment in United States v. UnitedHealth Group Inc. and Amedisys Inc - -- Case No.1:24-cv-03267-JKB  
**Date:** Monday, August 11, 2025 1:05:03 AM

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Dear Ms. Maguire,

I am writing as an independent home health agency owner with over a decade of experience in the industry to submit my public comment under the Tunney Act regarding the proposed settlement in the antitrust challenge to UnitedHealth Group's (UHG) acquisition of Amedisys. As required by 15 U.S.C. § 16(b)-(h), I urge the U.S. District Court to reject this settlement, as it is not in the public interest. The divestitures (164 locations to Pennant Group and BrightSpring Health Services) fail to address the profound vertical harms of this merger, which will further entrench UHG's dominance as both payer and provider, leading to reduced competition, higher costs, limited patient access, and squeezed independent providers like me.

My agency, built from scratch in 2014 to over \$10 million in annual revenue by 2019 with top CMS star ratings, has been nearly destroyed by similar acquisitions—UHG's 2023 purchase of LHC Group and Humana's 2021 buyout of Kindred at Home (rebranded CenterWell). These deals exemplify the immediate antitrust violations that occur upon ownership transfer, harms the DOJ/FTC continue to ignore in favor of inadequate "fixes" like divestitures. Based on antitrust expert John Mark Newman's analysis, the probability of all 164 divestitures succeeding perfectly is a mere 0.0027%, guaranteeing anticompetitive effects in some markets.

The vertical integration allows insurers to rig the system against independents:

- **Unequal Reimbursements:** UHG reimburses my agency half what it pays its own lower-rated agencies (60% below Medicare rates, well below my costs), despite our superior quality. Humana does the same—evidence shows they've effectively stolen \$286 million from my business through these tactics.
- **Retaliation and Bogus Practices:** During Humana's Kindred acquisition, they filed a frivolous lawsuit against me because my agency threatened their market share; I won with sanctions, but retaliation followed: endless medical records requests, refund demands, denials, and contract denials citing "network adequacy." My investigation revealed their provider lists are 85% inaccurate—listing closed agencies, duplicates with fake names/numbers, and lied affiliations. I verified this by calling every agency, checking CMS star ratings, ownership, and locations—they're blatantly violating federal rules, yet CMS accepts these bogus submissions unchecked (even FOIA requests denied).
- **Patient Steering and MA Shifts:** They've switched 60% of Medicare patients to Medicare Advantage plans, steering them to their subpar agencies and "stealing" mine. A patient denied services under my care? The referral was rerouted to their agency, and the same order was approved—proving rigged approvals that favor owned facilities.
- **Market Elimination:** I'm now one of the last independent standing in my area—they've bought everything, surrounding me and breaking laws with impunity. Post-LHC, UHG closed Oregon hospices for "profit/location" issues, reducing access. This deal will

amplify it nationwide.

These aren't efficiencies—they're self-dealing fraud, padding profits (\$140 billion in MA overpayments in 2023 alone) while hiking costs 5-10% in concentrated markets and harming outcomes (fewer home health visits in MA, leading to worse patient results and even deaths from denials). Divestitures to PE-backed firms like BrightSpring (KKR-owned) and Pennant only worsen collusion, as history shows PE flips assets back to insurers (e.g., Humana's Kindred from TPG/WCAS). Shared investors like BlackRock (stakes in all players) enable indirect market rigging.

This settlement ignores the public interest: It will force more independents to close, eliminate choice, destroy jobs, and outsource care for corporate gains. Even Republican Congressman Greg Murphy has called to break up UHG for conflicts of interest. Please reject this judgment and block the merger outright to protect competition, patients, and small providers.

Thank you for considering my comment. I can provide additional evidence if needed.

Sincerely,

**Tunde Holdren**

CEO/Founder

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