

From: [TeddyM](#)
To: [ATR-Public-Comments-Tunney-Act-MB](#)
Subject: [EXTERNAL] United States v. UnitedHealth Group
Date: Friday, August 22, 2025 7:17:11 AM

The Honorable James Bredar
United States District Judge
U.S. District Court for the District of Maryland
101 W Lombard St
Baltimore, MD 21201

Dear Judge Bredar,

This letter concerns the proposed settlement in *United States of America v. UnitedHealth Group Incorporated and Amedisys, Inc.*, which is under your purview. The Justice Department initially sought to block UnitedHealth Group's acquisition of Amedisys, citing concerns about reduced competition in the home health and hospice care markets, [according to Fierce Healthcare](#). The complaint also alleged that Amedisys failed to comply with the Hart-Scott-Rodino Act (HSR) during the merger review process. Despite the initial lawsuit, the Justice Department has now reached a settlement with the merging parties, [requiring divestiture of certain assets](#). It is crucial that the court exercise its authority under the Tunney Act to scrutinize the proposed settlement closely and ensure it serves the public interest.

The Tunney Act requires the court to assess whether a proposed consent decree is in the "public interest" before it can be entered as a final judgment. This assessment should not be a mere formality. It demands careful consideration of the competitive impact of the proposed decree, considering alternatives, its impact on the general public, and individuals alleging specific injuries from the alleged violations stated in the complaint.

The initial lawsuit raised serious concerns about the potential for the UnitedHealth Group acquisition to lessen competition, harm patients, and negatively impact the workforce in the home health and hospice markets. The complaint alleged that the merger would allow UnitedHealth Group to dominate the market in several states, potentially impacting costs, quality of care, and even nurse wages. It is important to reflect on the implications of these potential harms and carefully evaluate whether the proposed divestitures are truly sufficient to restore competition and address the concerns originally identified in the lawsuit.

Furthermore, reports of Amedisys' failure to fully comply with the HSR Act during the review process, including allegations of withheld documents, raises additional concerns about the transparency and integrity of the process that led to the proposed settlement, according to Skadden, Arps, Slate, Meagher & Flom LLP. While the settlement includes a civil penalty for this violation, it is essential for the court to ensure that any past lack of compliance doesn't undermine the effectiveness of the settlement in protecting the public interest.

The court has the ability to conduct hearings, gather testimony, and review public comments to fully inform its decision on whether to approve the proposed settlement. Given the significant implications of this acquisition on a vital healthcare sector serving vulnerable patients and employing a large workforce, a thorough and independent review is essential.

Thank you for your careful consideration of this matter and your dedication to upholding the principles of the Tunney Act.

Sincerely,

Theodore Mustakas