



Timothy Hatfield
Partner
(503) 208-5037
tim@hkhealthlaw.com

December 23, 2024

VIA EMAIL

Erica Koscher
Oregon Health Authority
500 Summer Street, NE, E-20
Salem, OR 97301-1097

Ryan Keeling
Oregon Department of Consumer & Business Services
350 Winter St. NE
Salem, OR 97301

Re: Response to Joint Request for Information – Legacy Health & Legacy Health Foundation – PacificSource Transaction

Erica and Ryan:

Enclosed is the Legacy Health Foundation's ("**Foundation**") response to the Request for Information dated November 26, 2024, submitted jointly by Oregon Health Authority ("**OHA**") and Department of Consumer and Business Services ("**DCBS**") in connection with Foundation's Form A filings.

The enclosed response cross-references certain materials previously submitted to OHA's Health Care Market Oversight Program ("**HCMO**") in connection with the HCMO filing related to this transaction (Transaction # 038) HCMO – 000001 to HCMO – 005494; HCMO – 010000, et seq ("**HCMO Materials**"). The Foundation consents to and authorizes OHA to share HCMO Materials referenced in the enclosed response with DCBS. Under OAR 409-070-0035(3), sharing of HCMO Materials between OHA and DCBS is permissible and does not result in waiver of any confidentiality protections applicable to the HCMO Materials. See ORS 415.501(13)(c). For more information regarding confidentiality protections applicable to the HCMO Materials, please refer to the confidentiality log submitted to OHA in connection with the HCMO filing related to this transaction.

Also enclosed are certain documents marked as "CONFIDENTIAL." Each document labeled "CONFIDENTIAL" is a trade secret or otherwise protected from public disclosure under Oregon law. See OAR 410-141-5280(1)(f) (stating that if a "document contains information protected from disclosure by state or federal law or protected from disclosure as a trade secret, as defined in ORS 192.345 . . . then [OHA] shall redact the document pursuant to ORS 192.338."). Under ORS 192.345(2), "trade secrets" are exempt from disclosure under ORS 192.311 et seq. (the "Oregon Public Records Law"). Oregon has also adopted the Uniform Trade Secrets Act (ORS 646.461 et seq.), which prohibits the disclosure of trade secrets by a person without consent, including any "government" or "governmental subdivision or agency." ORS 646.461(3); *See Pfizer Inc. v. Oregon Dep't of Just. ex rel. Kroger*, 254 Or. App. 144 (2012); *See also* ORS 192.355(9)(a).

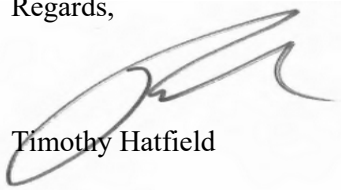
Enclosed with this filing is a confidentiality log, which identifies all confidential documents. Each such document is confidential in its entirety. Please notify us prior to any proposed disclosure of any documents marked confidential or any information derived from such documents. We reserve the right

Erica Koscher, Ryan Keeling
December 23, 2024
Page 2

to assert additional or alternative grounds for confidentiality and to mark additional documents as confidential.

If you have any questions or require further information, please contact me directly at (503) 208-5037 or tim@hkhealthlaw.com. Thank you for your attention to this matter, and we look forward to working with you and your staff.

Regards,

A handwritten signature in black ink, appearing to read "Timothy Hatfield", is written over a light gray rectangular background.

Timothy Hatfield

Enclosures