



May 1, 2026

BY EMAIL

Sarah Bartelmann, MPH Cost Programs Manager
Oregon Health Authority
421 SW Oak Street, Suite 850a
Portland, OR 97204
c/o hcmo.info@oha.oregon.gov

cc: Dr. Sejal Hathi and Ashley Thirstrup

Re: Notice of Material Change Transaction: 061N Asante - Surgery Center of Southern Oregon

Dear Ms. Bartelmann:

Pursuant to our Request for Emergency Exemption from Material Change Transaction Review filed with you on April 22, we had respectfully requested approval by May 1 to move forward with the purchase of the Surgery Center of Southern Oregon. We completed and provided you with all requested information as part of the submission and as part of the standard Emergency Exemption request form your agency provided.

In your first substantive correspondence to that submission dated yesterday April 30, you have now requested 17 additional supplemental data requests beyond the initial exemption request. From this, we can assume you will not be granting approval by today's deadline.

By this letter, Asante rescinds the above-referenced Notice of Material Change Transaction and the Request for Emergency Exemption filed in connection therewith.

We have engaged with HCMO in this process in good faith since August of last year and have been responsive to the broad, unnecessarily burdensome questions and requests that your agency sent, in an effort to save a struggling surgery facility that has long served our community and employed our colleagues and neighbors.

As the process has continued, the HCMO team requested confidential 3rd party contracts in violation of your own sub-regulatory guidance, made misleading statements to justify this deviation and insinuated that there may be criminal penalties if we did not provide them, in an effort to intimidate us into submission. You then doubled-down by making misleading comments to the local media.

To be clear, the information you requested would have required Asante and SCSO to breach multiple existing contractual obligations, exposing both entities to potential liability for damages – an outcome we

expressly flagged at the time. As we previously explained, these requests were also unnecessary, as your office already collects and possesses the relevant underlying data you appeared to be seeking.

At this point and with today's deadline, it seems you have no intention of approving this transaction, regardless of whether we meet the requirements set forth under the law.

Accordingly, SCSO will proceed with its plan for facility closure. It is regrettable and very disappointing that your agency has withheld approval of these requests, with the end result being the closure of an important surgical access point for the residents of southern Oregon and a loss of jobs during an already economically challenging time for the region. A more constructive and balanced application of regulatory authority would better protect patients, support providers and preserve access to care – we hope you consider changing your approach in the future.

Asante does not waive or limit the confidentiality protections afforded to the documents, communications, or other information shared with or submitted to the Oregon Health Authority or Oregon Department of Justice related to the Notice of Material Change Transaction. Asante therefore respectfully requests that all such confidential materials be returned or destroyed within fourteen (14) days of receipt of this letter.

Sincerely,



Kristen Roy

Chief Public Affairs Officer and General Counsel