

Health Care Market Oversight

Transaction 017

Agility – KeiperSpine

30-Day Review Summary Report

March 18, 2024



About this Report

This report summarizes analyses and findings from Oregon Health Authority’s preliminary review of the proposed material change transaction involving Agility Podiatry MSO, LLC (“Agility”), KeiperSpine, P.C. (“Keiper”), and Spine Surgery Center of Eugene, LLC (“SSCE”). It accompanies the Findings of Fact, Conclusions of Law, and Final Order (“Preliminary Review Order”) issued by Oregon Health Authority on March 18, 2024. For legal requirements related to the proposed transaction, please reference the [order](#).

You can get this document in other languages, large print, braille or a format you prefer free of charge. Contact us by email at hcmo.info@oha.oregon.gov or by phone at 503-385-5948. We accept all relay calls.

If you have any questions about this report or would like to request more information, please contact hcmo.info@oha.oregon.gov.

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Executive Summary

The [Health Care Market Oversight](#) (HCMO) program reviews proposed health care business deals to make sure they support statewide goals related to cost, equity, access, and quality. After completing a review, the Oregon Health Authority (OHA) issues a decision about whether a business deal, or transaction, involving a health care company should proceed. On December 18, 2023, OHA accepted a completed [notice of material change transaction](#) from Agility Podiatry MSO, LLC.

Proposed Transaction

Agility Podiatry MSO, LLC (“Agility”) is a management services organization (MSO) that provides non-clinical management services to physician-owned clinics. Agility is majority owned by a private equity firm. Agility plans to purchase the non-clinical assets of KeiperSpine P.C. (“KeiperSpine”), a physician practice in Eugene specializing in neuro-spine care. Agility and KeiperSpine plan to enter into an agreement for Agility to provide ongoing administrative services to KeiperSpine. Clinical employees, such as physicians, and clinical assets, such as patient medical records and contracts with insurers, would remain with KeiperSpine. Agility also plans to purchase a majority equity stake in Spine Surgery Center of Eugene, LLC (“SSCE”), an ambulatory surgery center specializing in neuro-spine and pain management surgery. KeiperSpine and SSCE have similar physician owners and share the same address in Eugene, Oregon.

OHA’s Review

OHA completed a preliminary review of the proposed transaction. During the review, OHA assessed the likely impact of the transaction across four domains: cost, access, quality, and equity. OHA held a public comment period and received no public comment submissions.

Key Findings



Cost

The proposed transaction is unlikely to significantly impact the relative market share of KeiperSpine or SSCE. It is also unlikely that the entities will be able to negotiate significantly higher reimbursements from insurance payers.



Access

The proposed transaction is unlikely to adversely affect patients’ access to health in the region. The terms of the proposed transaction are such that the providers’ employer does not change.



Quality

The proposed transaction has the potential to affect the quality of care. Empirical research shows that in some health care settings, private equity investment can lead to lower quality of care.



Equity

The proposed transaction is unlikely to significantly impact health equity given the statements the entities made in the notice. However, KeiperSpine and SSCE serve a significant number of patients with Medicare coverage and possess a significant market share in the region. It is important that the proposed transaction does not reduce access for

patients with Medicare, who are individuals aged 65 and older or individuals living with a disability.

Conclusions and Decision

Based on preliminary review findings, OHA concluded that the material change transaction. **OHA approved the transaction with conditions on March 18, 2024.** (See [order](#)).

OHA will monitor the impact of the transaction by conducting follow up analyses one year, two years, and five years after the business deal is completed. During these reviews, OHA will analyze any impact of the transaction on quality of care, access to care, affordability, and health equity, specifically following up on concerns or observations noted in the Findings & Potential Impacts section of the Review Summary Report. OHA will also assess whether the parties to the transaction have kept to the commitments stated in the notice of transaction regarding cost, access, and quality of care.

Introduction

In 2021, the Oregon Legislature passed [House Bill 2362](#), giving the Oregon Health Authority (OHA) the responsibility to review and decide whether some transactions involving health care entities should proceed. In March 2022, OHA launched the Health Care Market Oversight program (HCMO). This program reviews proposed health care transactions such as mergers, acquisitions, and affiliations to ensure they support statewide goals related to cost, equity, access, and quality.

The HCMO program is governed by [Oregon Revised Statute 415.500 et seq.](#) and [Oregon Administrative Rules 409-070-0000 through -0085](#).

In the authorizing statute, the Oregon Legislature specified what types of proposed transactions are subject to review and the criteria OHA must use when analyzing a given proposed transaction. The Oregon Legislature also authorized OHA to decide the outcome of a proposed transaction. After analyzing a given proposed transaction, OHA may approve, approve with conditions, or reject it.

The Health Care Market Oversight program fits within OHA's broader mission of ensuring all people and communities can achieve optimum physical, mental, and social well-being through partnerships, prevention, and access to quality, affordable health care.

Proposed Transaction

On December 18, 2023, OHA confirmed receipt of a [Notice of Material Change Transaction](#) (“notice”) from Agility Podiatry MSO, LLC dba Unity MSK (“Agility”), a management services organization (MSO). The notice describes plans to purchase non-clinical assets of KeiperSpine P.C. (“KeiperSpine”), a physician practice, and majority stake of Spine Surgery Center of Eugene, LLC (“SSCE”), an ambulatory surgery center. KeiperSpine and SSCE have similar physician owners and share the same address in Eugene, Oregon.

OHA reviewed the notice and determined, based on the facts in the notice, that the transaction is subject to review. The entities party to the transaction meet the revenue thresholds specified in [OAR 409-070-0015\(1\)](#) and the proposed transaction is otherwise covered by the program in accordance with [OAR 409-070-0010](#). After receipt of the complete notice, OHA began a preliminary review of the proposed transaction. Preliminary reviews must be completed within 30 days of OHA’s confirmation of receipt of a complete notice, unless extended in accordance with applicable statutes and administrative rules. This report describes the transaction, OHA’s approach to the review, its findings, and OHA’s conclusions based on these findings.

Entities Involved

The main entities involved in the proposed transaction are Agility, KeiperSpine, and SSCE.

Agility

Agility Podiatry MSO, LLC (“Agility”), also known as Unity MSK, is a management services organization (MSO) formed in Delaware that typically works with physician-owned medical practices specializing in orthopedic, musculoskeletal, podiatry, and related services. Like many MSOs, Agility provides medical practices with operational support, regulatory compliance, and other non-clinical functions.

Agility currently provides administrative services to Northwest Extremity Specialists, LLC, (“NES”), an Oregon limited liability company, which has 15 locations in the Portland metropolitan area and offers podiatric and orthopedic care. NES also employs physical therapists at three locations in Portland and Tigard.¹ NES expanded in 2022 by acquiring two practices: Tigard Orthopedic & Fracture Clinic, which is a single-physician, single-location clinic, and The Wilsonville Foot Health Center, a single-physician podiatry practice in Wilsonville, OR.² Agility asserts that neither of these transactions met the HCMO review criteria.

A sibling entity to Agility is Agility Ortho MSO, LLC, which is formed in Delaware and provides administrative services to two physician practices in Los Angeles, California and one physician practice in Illinois.

Both Agility and Agility Ortho MSO, LLC are owned by Agility Intermediate, Inc., a Delaware corporation. Agility Intermediate, Inc. is owned by Agility Health Holdings, LLC, a Delaware limited liability company. The majority owner of Agility Health Holdings, LLC. is Trinity Hunt Partners, a growth-oriented private equity firm.

KeiperSpine, P.C.

KeiperSpine is an Oregon professional corporation and physician practice located in Eugene, Oregon. KeiperSpine offers neuro-spine care and treated more than 5,000 patients in 2022. The practice employs three physicians, three advanced practice providers such as nurse practitioners,

and 12 other employees. KeiperSpine is majority owned by Glenn Keiper, M.D (“Dr. Keiper”) and Jonathan Sherman, M.D. (“Dr. Sherman”) owns a minority share.

Spine Surgery Center of Eugene, LLC

The Spine Surgery Center of Eugene, LLC (“SSCE”) is an Oregon limited liability company and ambulatory surgery center co-located with KeiperSpine and specializes in neuro-spine and pain management surgery. In 2022, SSCE treated more than 1,100 patients.

SSCE consists of two operating rooms and employs 19 staff, including 12 medical personnel. Dr. Keiper owns a majority stake in SSCE, and Dr. Sherman owns a minority share, alongside Carmina Angeles, M.D., and Steven Surret, M.D. KeiperSpine and SSCE combined received approximately \$10 million in revenue in fiscal year 2022.

| Name | Location | Patient visits in 2022 | Number of Staff |
|--------------------------------|--|------------------------|-----------------|
| KeiperSpine | 1410 Oak St. Suite 200, Eugene, OR 97401 | 5,082 | 18 |
| Spine Surgery Center of Eugene | 1410 Oak St. Suite 200, Eugene, OR 97401 | 1,126 | 19 |

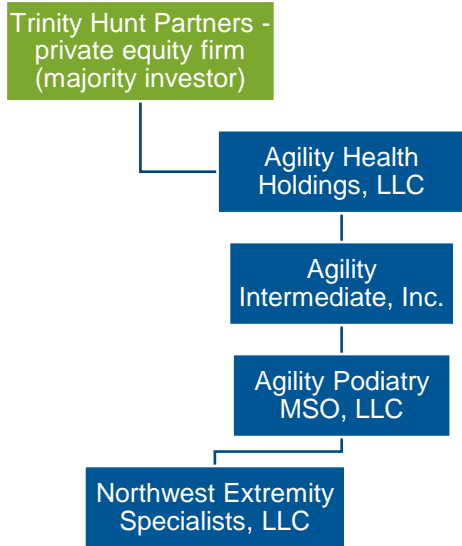
Transaction Terms

The proposed transaction would bring KeiperSpine and the SSCE into the Agility organization. First, Agility would purchase substantially all of KeiperSpine’s non-clinical assets such as equipment and supplies. Secondly, KeiperSpine and Agility would enter into an administrative services agreement. This agreement would specify that Agility will provide non-clinical, administrative services such as payroll, human resources, billing and coding for medical encounters, and regulatory compliance support. Agility would take over KeiperSpine’s real estate lease and would enter into a sublease agreement with KeiperSpine. Agility states it plans to hire substantially all non-clinical employees, while the clinical employees – including physicians and advanced practice providers – would remain employees of KeiperSpine.

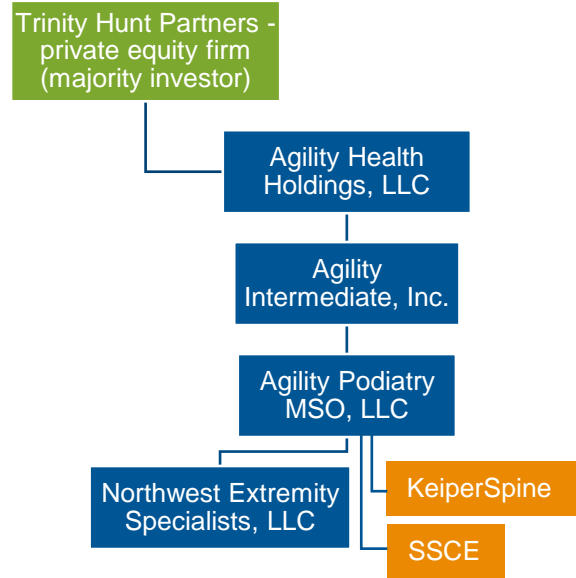
Lastly, Agility would purchase a majority equity interest (51%) of SSCE. The assets currently owned by SSCE would remain owned by SSCE.

Both KeiperSpine and SSCE would continue to exist, and Agility does “not anticipate changes to health care services” as part of the transaction.

Current corporate organization:



Corporate organization after transaction:



As part of the proposed transaction, Agility “will hire substantially all of the non-clinical employees of Keiper[Spine] following the closing” while all clinical employees such as physicians and advanced practice providers like physician assistants will remain employees of Keiper[Spine] and will “continue to practice independently.”³ All clinical assets, such as patient medical records, clinical licenses and permits, and payer contracts will remain with KeiperSpine and will not transfer to Agility.

Rationale for the Transaction

The entities state that the purpose of the transaction is to “assist both Keiper[Spine] and SSCE with the non-clinical, administrative operations of each entity, allowing the physicians to focus on patient care...”⁴ The entities also state that “Agility MSO intends to assist Keiper[Spine] with growing its business, including by helping to recruit new physicians to Keiper[Spine] with the goal of increasing Keiper[Spine]’s capacity to provide health services.”⁵

Agility MSO states that it will collaborate with KeiperSpine and SSCE to identify investments and improvements to continue to grow the medical practice.⁶

Post-Transaction Plans

The entities state that the proposed transaction “is not expected to have any negative impact on the price of or access to health care services within Oregon because Keiper[Spine]’s and SSCE’s services will remain available to each of their current patients at current levels...”⁷ The entities also state that “the transaction is not expected to result in reducing patient access, including patients covered by federal healthcare programs currently accepted by Keiper[Spine] and SSCE, such as Medicaid.”⁸

The entities state that “by removing the administrative burdens imposed by managing day-to-day non-clinical operations, the physicians can dedicate increased time and attention to their patients and improving the quality of care.”

Private Equity & Health Care

Trinity Hunt Partners (THP) is the majority investor of Agility and a growth-oriented private equity firm that focuses on business, health care, and consumer services. In 2023, THP invested in and partnered with commercial landscaping businesses, a clinical research services provider, commercial heating, ventilation, and air conditioning (HVAC) company, and more. In the health care sector, THP invests in Centricity Research, Family Help and Wellness, Main Street Family Urgent Care, Parallel ENT & Allergy, and Unity MSK (also known as Agility MSO).⁹ THP has more than doubled its size in the past two years, now employing 40 staff and completed more than 30 transactions last year. Currently, THP has more than \$2 billion of assets under management.¹⁰

This section provides background information on the role of private equity firms in the U.S. health care system.

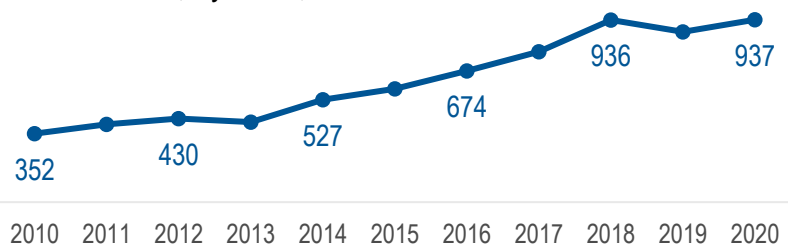
What is a Private Equity Firm?

The goal of a private equity firm is to generate profits for investors by expanding companies (often through acquisitions of smaller companies), decreasing company costs (such as staffing and supply costs), increasing company revenues (by increasing service volume or steering consumers to higher cost services) and then reselling the company to other investors at a profit.¹¹ Private equity investors may include the owners of pension funds, sovereign wealth funds, university endowments or high-net-worth individuals.

Growth of Private Equity in Health Care

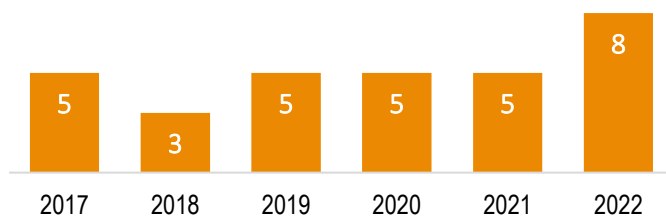
The rate of private equity acquisitions of physician practices and other health care entities in the U.S. is increasing.¹² In 2018, private equity deals involving U.S. health care entities totaled more than \$100 billion, twenty times the amount in 2000 (\$5 billion).¹³

In 2010, there were 352 reported private equity deals in health care nationwide; by 2020, there were **937 deals**



Research shows significant growth in private equity investment in hospitals, outpatient medical services, physician staffing companies, and physician specialty groups like primary care, ophthalmology, dermatology, dentistry, gastroenterology, orthopedics, and home healthcare.^{14 15}

The **annual number of PE deals involving ASCs** has been steady, with a recent uptick in 2022



Private equity firms are also interested in ASCs, evidenced by the number of annual transactions involving ASCs in recent years. In 2022, the number of private equity deals involving ASCs increased to eight.¹⁶

Lastly, some private equity firms use what is called a “friendly physician” model in which the private equity firm or affiliated management service organization hires one of the physicians from the acquired practice as an employee.¹⁷ When the private equity firm or its subsidiary has the ability to make

employment decisions, evidence shows that the composition of the clinic’s workforce changes after acquisition.¹⁸ Generally, the private equity firm or its subsidiary increases the number of lower-level providers and decreases the number of physicians.¹⁹

Findings & Potential Impacts

OHA compiled available data and information to understand and examine the potential impacts of the transaction across four domains: access, cost, quality, and equity. To assess the potential impacts of the proposed transaction on Oregon residents’ equitable access to affordable care, OHA considered the following:

- Transaction terms
- Market characteristics
- Statements by entities
- Supplemental information from entities

Overview

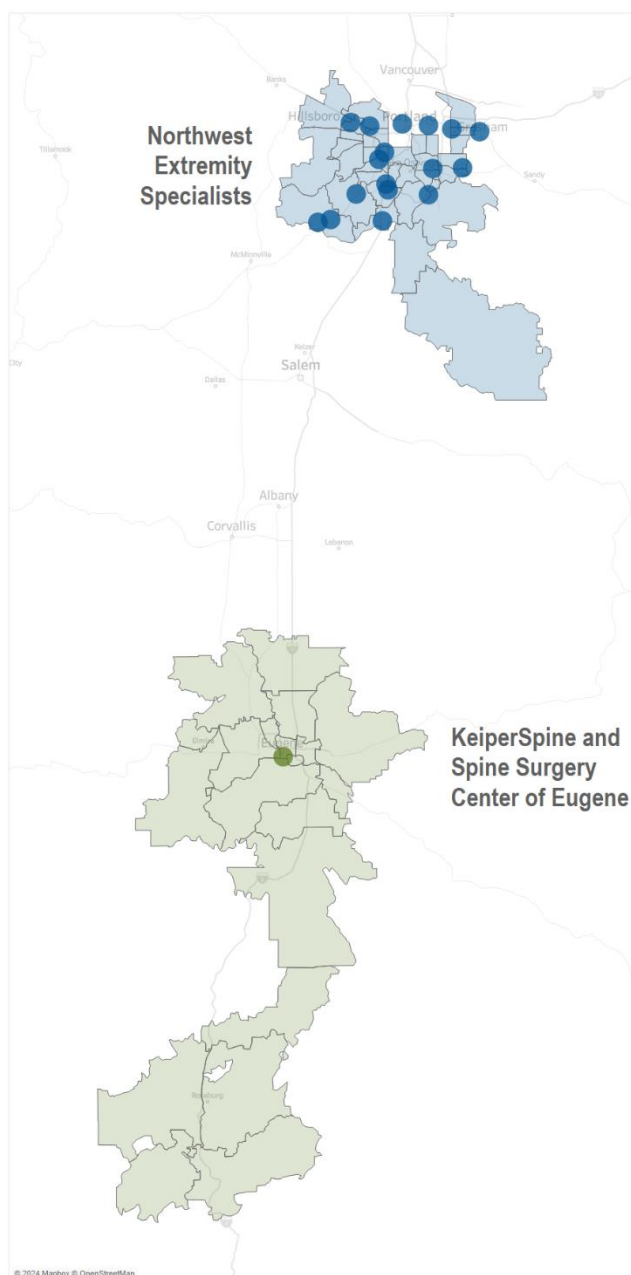
Service Areas

As the map shows, KeiperSpine and SSCE serves the greater Eugene area and Roseburg to the south. NES, which is also affiliated with Agility, serves the greater Portland metropolitan area and does not overlap with the KeiperSpine primary service area. Even if the primary service areas of KeiperSpine and NES overlapped, the two entities provide very different types of medical services and would not be considered competitors.

Market Share & Consolidation

The proposed transaction does not affect the entities’ market shares or increase market consolidation. If, however, KeiperSpine and NES jointly negotiated payer contracts, there is a potential for consolidation effects which could include higher costs for consumers.

The primary service area of KeiperSpine and SSCE is currently highly concentrated. There are only three entities providing similar spine surgery services in the region: KeiperSpine/SSCE and two other entities. KeiperSpine and SSCE possess the largest share of the market (44%). The Herfindahl-Hirschman Index (HHI), which is a measure of market concentration, is 3,805 and considered highly concentrated. The HHI is not changing as a result of this proposed transaction.



KeiperSpine/SSCE has the largest market share; there are only two other competitors.



As the graph above shows, KeiperSpine and SSCE have approximately 44% of the spinal care and surgery market in the region. One competitor has a similar market share – 40% - while a smaller competitor has 16% of the market.

Access

The proposed transaction is unlikely to adversely affect patients' access to health care services in the region. KeiperSpine currently employs three physicians and three advanced practice providers (e.g., physician's assistant or nurse practitioner). The terms of the proposed transaction are such that the providers' employer does not change. Moreover, Dr. Keiper, Dr. Sherman, and Dr. Angeles will remain owners of SSCE after the transaction closes. The entities state that they do not expect any changes to the health services at KeiperSpine or SSCE as part of the proposed transaction.

The entities also state that the transaction will allow for KeiperSpine and SSCE to grow because Agility will help recruit new physicians to increase capacity.

Entity statements about access

The transaction is not expected to have any negative impact on the price of or access to health care services within Oregon because Keiper[Spine]'s and SSCE's services will remain available to each of their current patients at current levels and the transaction will not involve any change to Keiper[Spine]'s or SSCE's payor contracts prior to the next normal course renegotiation of these contracts.

Cost

The proposed transaction is unlikely to significantly impact the relative market share of KeiperSpine or SSCE. Given that the market share of KeiperSpine and SSCE will not change, it is unlikely that the entities will be able to negotiate significantly higher reimbursements from insurance payers.

Research shows that acquisitions of health care entities by private equity firms or companies that are controlled by private equity investors often result in higher costs, especially when the acquired health entity possesses more than 30% of the market share.²⁰ Notably, KeiperSpine and SSCE possess the largest share of the market (44%) and there are only two competitors. The fact that there are competitors limits the degree to which Agility would be able to negotiate significantly higher payments from insurance companies.

In the required follow-up reports one, two, and five years after the proposed transaction closes, OHA's Health Care Market Oversight Program will monitor for any increased prices relative to competitors in the region.

Quality

The proposed transaction has the potential to affect the quality of care. The entities state that Agility's experience in providing non-clinical support services to KeiperSpine and SSCE will allow the physicians to dedicate more time to patients and improving the quality of care. That may be true. However, empirical research shows that in some health care settings, private equity investment can lead to lower quality of care.^{21 22}

Recent anecdotal testimony provided to the Oregon Legislature revealed that despite providers possessing clinical decision-making authority, non-physician corporate owners sometimes use other tactics to influence clinical decisions.²³ These tactics include setting providers' schedules, determining providers' financial bonuses, and deciding if their employment contract would be renewed.²⁴

The physicians and advanced practice providers who treat patients at KeiperSpine/SSCE will remain employees of KeiperSpine and will "continue to practice independently."²⁵ This independence may serve as a mitigating factor for the potentially negative influence of private equity investment. Ensuring the physicians and advanced practice providers continue to make all clinical decisions for patients' services, treatments, diagnostic tests, and the duration of visits will be important to ensure the proposed transaction does not adversely affect KeiperSpine's and SSCE's quality of care.

Entity statements about quality

The entities stated:

The anticipated effect of the transaction is that combining Agility MSO's excellence in administration with Keiper[Spine]'s and SSCE's patient care and quality will result in improved quality of patient care and experience.²⁶

Equity

The proposed transaction is unlikely to significantly impact health equity given the statements the entities made in the notice. However, KeiperSpine and SSCE serve a significant number of patients with Medicare coverage and possess a significant market share in the region. It is important that the proposed transaction does not reduce access for patients with Medicare, who are elderly individuals or individuals living with a disability.

Entity statements about quality

The entities stated that the proposed transaction:

"...is not expected to result in reducing patient access, including patients covered by federal healthcare programs currently accepted by Keiper[Spine] and SSCE..."

"It is not anticipated that the transaction will result in governance changes to Keiper[Spine]. We do not anticipate any changes to health care services at Keiper[Spine] as part of the transaction."

Conclusions

Based on preliminary review findings, **OHA approved the transaction with conditions on March 18, 2024**. See [Findings of Fact, Conclusions of Law, and Order in the Matter of Proposed Material Change Transaction](#), dated March 18, 2024.

The transaction was approved with conditions, per ORS 415.501(6)(b), because OHA determined the transaction is unlikely to substantially alter the delivery of health care in Oregon.

The approval criteria are specified in administrative rules for the Health Care Market Oversight Program and are consistent with Oregon law. Below is a summary of the main reasons, based on the findings described in this report, why OHA considers the criterion satisfied.

Approval Criteria

Unlikely to substantially alter the delivery of health care in Oregon

The acquisition of substantially all the non-clinical assets of KeiperSpine and a majority equity stake of SSCE along with KeiperSpine and Agility entering into an administrative services agreement are unlikely to substantially alter the delivery of health care in Oregon. No consolidation is occurring as a result of the proposed transaction.

Approval Conditions

OHA's approval of this transaction requires the entities to comply with conditions for five years. These conditions focus on maintaining access to and quality of health care services as well as mitigating any adverse cost or equity effects. For legal requirements related to the conditions, please refer to the [Order](#). OHA's approval conditions, which shall remain in place for five years after the transaction closes, are summarized as follows:

1. The transaction is hereby approved with conditions upon the basis of the information contained in the Notice of Material Change Transaction to date.

Access to Care

2. The transacting parties shall complete the Transaction consistent with the Notice of Material Change Transaction ("notice"), and as conditionally approved by OHA.
3. Neither Agility nor any of its parent entities shall require clinical employees of KeiperSpine and/or SSCE, including physicians and advanced practice providers, to enter into employment agreements with Agility, or any of its parent entities, as a result of this Transaction.

Costs

4. Neither Agility nor its parent entities shall jointly negotiate payer contracts with NES, KeiperSpine, SSCE, or any other entity in Oregon, that is owned, affiliated with, or controlled by Agility or its parent entities.

Quality of Care

5. Physicians and advanced practice providers treating patients at KeiperSpine or SSCE shall be responsible for all clinical decisions, including decisions regarding:
 - a. the treatment and services that are appropriate for patients,
 - b. the diagnostic tests that are appropriate for a particular condition,

- c. the treatment options available to patients, and
 - d. deciding the duration (e.g., number of minutes) of patient visits.
6. A KeiperSpine senior, chief, or lead physician or advanced practice provider, or group thereof, as applicable, shall have ultimate decision-making authority over matters pertaining to all KeiperSpine-employed physicians' and advanced practice providers':
- a. clinic and on-call schedules, as applicable;
 - b. financial compensation and bonuses, as applicable; and
 - c. employment contract renewal or extension, as applicable.

Equity

7. KeiperSpine and SSCE shall continue serving patients with Medicare coverage.

Post-Transaction Monitoring

As required by statute, OHA will conduct follow-up analyses one, two, and five years after the transaction is complete. OHA's monitoring will assess whether the entities keep the commitments included in the notice. More broadly, OHA will monitor changes to cost, quality, access and equity, and may also assess other measures relevant to each domain.

As part of the required monitoring activities, OHA may request additional information from Agility, KeiperSpine or SSCE. OHA will publicly publish findings and conclusions from follow-up analyses.

Acronyms & Glossary

Acronyms & Abbreviations

| | |
|------|--|
| APAC | Oregon's All Payer All Claims database |
| ASC | Ambulatory Surgery Center |
| HCMO | Health Care Market Oversight |
| LLC | Limited Liability Corporation |
| OHA | Oregon Health Authority |
| OHP | Oregon Health Plan |
| PE | Private Equity |
| PSA | Primary Service Area |

Glossary

Competition: A situation in a market in which firms or sellers independently strive to attract buyers for their products or services by varying prices, product characteristics, promotion strategies, and distribution channels.

Concentration: A measure of the degree of competition in the market; highly concentrated markets are generally characterized by a smaller number of firms and higher market shares for individual firms.

Consolidation: The combination of two or business units or companies into a single, larger organization. Consolidation may occur through a merger, acquisition, joint venture, affiliation agreement, etc.

Health equity: OHA defines health equity as follows:

Oregon will have established a health system that creates health equity when all people can reach their full health potential and well-being and are not disadvantaged by their race, ethnicity, language, disability, age, gender, gender identity, sexual orientation, social class, intersections among these communities or identities, or other socially determined circumstances. Achieving health equity requires the ongoing collaboration of all regions and sectors of the state, including tribal governments to address:

- The equitable distribution or redistribution of resources and power; and
- Recognizing, reconciling, and rectifying historical and contemporary injustices.

OHA's Review

OHA performed a preliminary review of the transaction to assess its potential impact on Oregon's health care delivery system. The review explored impacts in four areas (domains): cost, access, quality, and equity. OHA's analysis followed the guidelines and methods set out in the [HCMO Analytic Framework](#) published January 31, 2022.²⁷ The framework is grounded in the goals, standards and criteria for transaction review and approval outlined in OAR 409-070-0000 through OAR 409-070-0085.

Background Research and Literature Review

OHA conducted background research on the entities involved in the transaction to understand more about the proposed transaction, the entities involved, and the bankruptcy filing proceedings including published documents. OHA consulted publicly available sources, including press releases and media reports; business filings with the Secretary of State in Oregon and other states; and entity websites.

OHA also considered articles and research reports about the role of private equity in health care.

Requests for Information

OHA requested additional information from the entities involved in the transaction. Public versions of the requested information is posted on the [Transaction Notices and Reviews](#) page.

Public Input

OHA solicited public comments on the proposed transaction during the preliminary review. On December 18, 2023, OHA updated the [Transaction Notices and Reviews](#) page of the HCMO website to request public input and emailed subscribers to HCMO program updates to inform them about the opportunity to provide comment. OHA received no public comments.

Analysis

OHA's analysis assessed the current state of the entities involved in the transaction, related industry trends, and the likely impact of the proposed transaction on the delivery of health care services in Oregon. The table below describes the types of analysis OHA typically performs in each domain.

| Domain | Analysis |
|--------|--|
| Cost | <p>Analyses under the cost domain explore how the transaction may affect the prices consumers and payers (e.g., insurers, employers, and governments) pay for services in Oregon. Spending for services may be affected by the degree of competition between providers offering similar services within a service area.</p> <p>For this review, OHA used claims from APAC to assess trends of orthopedic services including surgeries. OHA referenced services provided by physicians and other providers employed by the entities and any other services billed using facilities identifiers.</p> |
| Access | <p>Analyses under the access domain explore how the transaction may affect the range of services available in the market, types of providers and provider-patient ratios, characteristics of the patient population, and any barriers to access, including transportation burdens and</p> |

| Domain | Analysis |
|---------|---|
| | <p>limitations by insurance type.</p> <p>Consolidation and change of ownership in the health care market can impact the range and type of services offered in the service area. Changes in population demographics can alter demand for some services and shifts in the labor market can impact availability of specific provider types, potentially affecting the financial viability and profitability of offering certain health care services in a region.</p> <p>For this review, OHA analyzed the market regarding spinal care, identified competitors and used claims to understand where patients are currently accessing care.</p> |
| Quality | <p>Analyses in the quality domain explore how the transaction may affect patient outcomes and the experience of care. Consolidations and ownership changes in health care can impact clinical practice, including staffing ratios, time spent or number of visits with patients, timeliness of care, and the patient's experience of care, all of which can have adverse effects on patient outcomes. Analyses in the quality domain consider current indicators of quality and assess potential impacts of the transaction on quality of care.</p> <p>For this review, OHA reviewed published literature, supplemental information provided by the entities, and public testimony related to the corporate practice of medicine.</p> |
| Equity | <p>Analyses in the equity domain explore how the transaction may affect the Entity's ability to assess for and equitably meet the needs of the population it serves. Consolidations and ownership changes in health care can disproportionately impact availability of health services for populations who already experience health inequities, including people of color, low-income families, and residents of rural areas. Equity-focused analysis considers the entities' ability to serve a patient population that is representative of the community in which they operate. OHA also looks for evidence that the Entity is actively identifying and addressing inequities in access to or quality of care across their patient population.</p> <p>For this review, OHA looked at the different types of insurance the entities currently accept, and reviewed information provided by the entities.</p> |

References

- ¹ Notice of material change transaction, <https://www.oregon.gov/oha/HPA/HP/HCMOPageDocs/20231218-017-Agility-Keiper-Notice.pdf>
- ² Entities' responses to supplemental questions, January 18, 2024. <https://www.oregon.gov/oha/HPA/HP/HCMOPageDocs/017-Agility-Keiper-Supplemental-Responses-240118-PUBLIC-REDACTED.pdf> (Accessed 3/6/24)
- ³ Notice of material change transaction, <https://www.oregon.gov/oha/HPA/HP/HCMOPageDocs/20231218-017-Agility-Keiper-Notice.pdf>
- ⁴ Ibid.
- ⁵ Ibid.
- ⁶ Ibid.
- ⁷ Ibid.
- ⁸ Ibid.
- ⁹ Trinity Hunt Partners portfolio, <https://www.trinityhunt.com/portfolio> (Accessed 3/5/2024)
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