

UNITED STATES OF AMERICA
liability company BEFORE FEDERAL TRADE COMMISSION TD0 0P2201a

COMMISSIONERS: Timothy J. Muris, Chairman
Mozelle W. Thompson
Orson Swindle
Thomas B. Leary
Pamela Jones Harbour

COLQUITT COUNTY and Y

COLQUITT COUNT.0.0007

In the Matter of

SOUTH GEORGIA HEALTH PARTNERS, L.L.C.,
a limited liability company,

COASTAL PLAINS HEALTH ALLIANCE, L.L.C.,
a limited liability company,

COLQUITT COUNTY PHO, L.L.C.,
a limited liability company,

COLQUITT COUNTY PHYSICIANS ASSOCIATION, L.L.C.,
a limited liability company,

ASSOCIATION, L.L.C.,
a limited liability company, ASSOCIATION, L.L.C.,

**AGREEMENT CONTAINING CONSENT
ORDER TO CEASE AND DESIST**

The Federal Trade Commission (“Commission”), having initiated an investigation of certain acts and practices of South Georgia Health Partners, L.L.C. (“SGHP”); Coastal Plains Health Alliance, L.L.C. (“Coastal Plains Health Alliance”); Colquitt County PHO, L.L.C. (“Colquitt County PHO”); Colquitt County Physicians Association, L.L.C. (“Colquitt County Physicians”); Georgia/Florida Preferred, L.L.C., dba Health Alliance of the South (“Health Alliance of the South”); Qualicare Physicians Association, L.L.C. (“Qualicare Physicians Association”); Satilla HealthNet, Inc. (“Satilla HealthNet”); South Georgia PHO, L.L.C. (“South Georgia PHO”); and South Georgia Physician Network, L.L.C. (“South Georgia Physician Network”), hereinafter collectively referred to as “Proposed Respondents,” and it now appearing that Proposed Respondents are willing to enter into an Agreement Containing Consent Order to Cease and Desist (“Consent Agreement”) from certain acts and practices, and providing for other relief,

IT IS HEREBY AGREED by and between Proposed Respondents and their attorney, and counsel for the Commission that:

1. Proposed Respondent SGHP is a for-profit limited liability company, organized, existing, and doing business under and by virtue of the laws of the State of Georgia, with its office and principal place of business located at 160 East Second Street, Tifton, Georgia 31794.
2. Proposed Respondent Coastal Plains Health Alliance is a for-profit limited liability company, organized, existing, and doing business under and by virtue of the laws of the State of Georgia, with its office and principal place of business located at 160 East Second Street, Tifton, Georgia 31794.
3. Proposed Respondent Colquitt County PHO is a for-profit limited liability company, organized, existing, and doing business under and by virtue of the laws of the State of Georgia, with its office and principal place of business located at 2421 South Main Street, Moultrie, Georgia 31768.
4. Proposed Respondent Colquitt County Physicians is a for-profit limited liability company, organized, existing, and doing business under and by virtue of the laws of the State of Georgia, with its office and principal place of business located at 2421 South Main Street, Moultrie, Georgia 31768.
5. Proposed Respondent Health Alliance of the South is a for-profit limited liability company, organized, existing, and doing business under and by virtue of the laws of the State of Georgia, with its office and principal place of business located at John D. Archbold Memorial Hospital, 915 Gordon Avenue, Thomasville, Georgia 31792.

6. Proposed Respondent Qualicare Physicians Association is a for-profit limited liability company, organized, existing, and doing business under and by virtue of the laws of the State of Georgia, with its office and principal place of business located at 808 Gordon Avenue, Thomasville, Georgia 31792.
7. Proposed Respondent Satilla HealthNet is a non-profit corporation, organized, existing, and doing business under and by virtue of the laws of the State of Georgia, with its office and principal place of business located at 1800 Alice Street, Waycross, Georgia 31501.
8. Proposed Respondent South Georgia PHO is a for-profit limited liability company, organized, existing, and doing business under and by virtue of the laws of the State of Georgia, with its office and principal place of business located at 2501 North Patterson Street, Valdosta, Georgia 31602.
9. Proposed Respondent South Georgia Physician Network is a for-profit limited liability company, organized, existing, and doing business under and by virtue of the laws of the State of Georgia, with its office and principal place of business located at 102 W. Moore Street, Valdosta, Georgia 31602.
10. Proposed Respondents admit all the jurisdictional facts set forth in the draft of Complaint here attached.
11. Proposed Respondents waive:
 - a. any further procedural steps;
 - b. the requirement that the Commission's Decision and Order, attached hereto and made a part hereof, contain a statement of findings of fact and conclusions of law;
 - c. all rights to seek judicial review or otherwise to challenge or contest the validity of the Decision and Order entered pursuant to this Consent Agreement; and
 - d. any claim under the Equal Access to Justice Act.

such action as it may consider appropriate, or issue and serve its Complaint (in such form as the circumstances may require) and Decision and Order, in disposition of the proceeding.

13. This Consent Agreement is for settlement purposes only and does not constitute an admission by Proposed Respondents that the law has been violated as alleged in the draft of Complaint here attached, or that the facts as alleged in the draft of Complaint, other than jurisdictional facts, are true.
14. This Consent Agreement contemplates that, if it is accepted by the Commission, and if such acceptance is not subsequently withdrawn by the Commission pursuant to the provisions of Commission Rule 2.34, 16 C.F.R. § 2.34, the Commission may, without further notice to Proposed Respondents, (1) issue its Complaint corresponding in form and substance with the draft of Complaint here attached and the Decision and Order in disposition of the proceeding and (2) make information public with respect thereto. When so entered, the Decision and Order shall have the same force and effect, and may be altered, modified, or set aside in the same manner and within the same time provided by statute for other orders. The Decision and Order shall become final upon service. Delivery of the Complaint and the Decision and Order to Proposed Respondents by any means specified in Commission Rule 4.4(a), 16 C.F.R. § 4.4(a), shall constitute service. Proposed Respondents waive any right they may have to any other manner of service. The Complaint may be used in construing the terms of the Decision and Order, and no agreement, understanding, representation, or interpretation not contained in the Decision and Order or the Consent Agreement may be used to vary or contradict the terms of the Decision and Order.
15. Proposed Respondents have read the draft of Complaint and the Decision and Order contemplated hereby. By signing this Consent Agreement, Proposed Respondents represent that the full relief contemplated by this Consent Agreement can be accomplished. Proposed Respondents understand that once the Decision and Order has been issued, they will be required to file one or more compliance reports showing that they have fully complied with the Decision and Order. Proposed Respondents agree to comply with Paragraphs II and III of the draft Decision and Order from the date they sign this Consent Agreement. Proposed Respondents further understand that they may be liable for civil penalties in the amount provided by law for each violation of the Decision and Order after the Decision and Order becomes final.

SOUTH GEORGIA HEALTH ALLIANCE, PARTNERS, L.L.C.

By: _____
Frank C. Riley, Chairman and Chief Executive Officer
Signed this ____ day of _____, 2003

COASTAL PLAINS HEALTH L.L.C.

By: _____
Dr. Frank J. Pinto, Chairman
Signed this ____ day of _____, 2003

COLQUITT COUNTY PHO, L.L.C.

By: _____
Dr. D. Q. Harris, Chairman
Signed this ____ day of _____, 2003

COLQUITT COUNTY PHYSICIANS ASSOCIATION, L.L.C.

By: _____
Dr. Jack Copeland, Chairman
Signed this ____ day of _____, 2003

GEORGIA/FLORIDA PREFERRED, L.L.C. dba HEALTH ALLIANCE OF THE SOUTH

By: _____
Daniel "Gene" Autry, Chairman
Signed this ____ day of _____, 2003

QUALICARE PHYSICIANS ASSOCIATION, L.L.C.

By: _____
Dr. James E. Smith, Chairman
Signed this ____ day of _____, 2003

SATILLA HEALTHNET, INC.

By: _____
Dr. Wade Dye, Chairman
Signed this ____ day of _____, 2003

SOUTH GEORGIA PHO, L.L.C.

By: _____
Dr. Mark Eanes, Chairman
Signed this ____ day of _____, 2003

SOUTH GEORGIA PHYSICIAN NETWORK, L.L.C.

By: _____
Dr. Joe C. Stubbs
Signed this ____ day of _____, 2003

Jeffrey S. Spigel, Esq.,
Counsel for
South Georgia Health Partners, L.L.C.;
Coastal Plains Health Alliance, L.L.C.;
Colquitt County PHO, L.L.C.; Colquitt
County Physicians Association, L.L.C.;

David H. Robbins, Esq.,
Counsel for
Georgia/Florida Preferred, L.L.C.,
d/b/a Health Alliance of the South; and
Qualicare Physicians Association, L.L.C.