

UNITED STATES OF AMERICA
BEFORE FEDERAL TRADE COMMISSION

In the Matter of
NORTH TEXAS SPECIALTY PHYSI

company, government, government agency, unincorporated association, trust or other form of legal entity, whether or not in the employ of Complainant. The acts and knowledge of a person are defined

"minimum acceptable range of compensation" as those or similar phrases are used in the documents provided to the Federal Trade Commission by NTSP bearing Bates numbers NTSP 003960, 004948, 004634, and 014432, among others.

- K. "Minimum contract price" means "Contracted Minimums" or "Board Minimums" as those or similar phrases are used in the documents provided to the Federal Trade Commission by NTSP bearing Bates numbers NTSP 003960, 004634, 004948, and 014432, among others.
- L. "Aggregated data" means data or information from or pertaining to more than one person that has been altered or manipulated so that the specific identity or response of any person from which the data or information was obtained or to whom it pertains no longer can be discerned. "Aggregated data" includes, for example, arithmetic means, medians, modes, and frequency distributions.
- M. "Material improvements in the quality" of medical services means verifiable and valuable enhancements to qualitative aspects of the practice of medicine, including but not limited to the quality of treatment outcomes.
- N. Your failure to admit any request for admission requires that you supplement your response to admit the matter if you, or any person acting on your behalf, subsequently obtains additional information indicating that the matter should be admitted.

I.

Requests for Admission

- 1. Admit that the dissemination by NTSP to participating physicians of aggregated data regarding participating physicians' minimum acceptable compensation for fee-for-service

medical services was not reasonably necessary to the achievement of material improvements in the quality of participating physicians' (a) fee-for-service medical services and (b) other than fee-for-service medical services.

2. Admit that the dissemination by NTSP to participating physicians of aggregated data regarding participating physicians' minimum acceptable compensation for fee-for-service medical services was not reasonably necessary to the achievement of material reductions in the cost of participating physicians' (a) fee-for-service medical services and (b) other than fee-for-service medical services.
3. Admit that the establishment by NTSP of minimum contract prices for fee-for-service medical services was not reasonably necessary to the achievement of material improvements in the quality of participating physicians' (a) fee-for-service medical services and (b) other than fee-for-service medical services.
4. Admit that the establishment by NTSP of minimum contract prices for fee-for-service medical services was not reasonably necessary to the achievement of material reductions in the cost of participating physicians' (a) fee-for-service medical services and (b) other than fee-for-service medical services.
5. Admit that the refusal by NTSP to submit to NTSP physicians offers from payors that do not satisfy minimum contract prices established by NTSP for fee-for-service medical services was not reasonably necessary to the achievement of material improvements in the quality of participating physicians' (a) fee-for-service medical services and (b) other than fee-for-service medical services.
6. Admit that the refusal by NTSP to submit to NTSP physicians offers from payors that do

not satisfy minimum contract prices established by NTSP for fee-for-service medical services was not reasonably necessary to the achievement of material reductions in the cost of participating physicians' (a) fee-for-service medical services and (b) other than fee-for-service medical services.

7. Admit that the departing by NTSP of NTSP physicians from payor agreements that do not satisfy minimum contract prices established by NTSP for fee-for-service medical services was not reasonably necessary to the achievement of material improvements in the quality of participating physicians' (a) fee-for-service medical services and (b) other than fee-for-service medical services.
8. Admit that the departing by NTSP of NTSP physicians from payor agreements that do not satisfy minimum contract prices established by NTSP for fee-for-service medical services was not reasonably necessary to the achievement of material reductions in the cost of participating physicians' (a) fee-for-service medical services and (b) other than fee-for-service medical services.

Dated: _____, 2003

Respectfully submitted,

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