

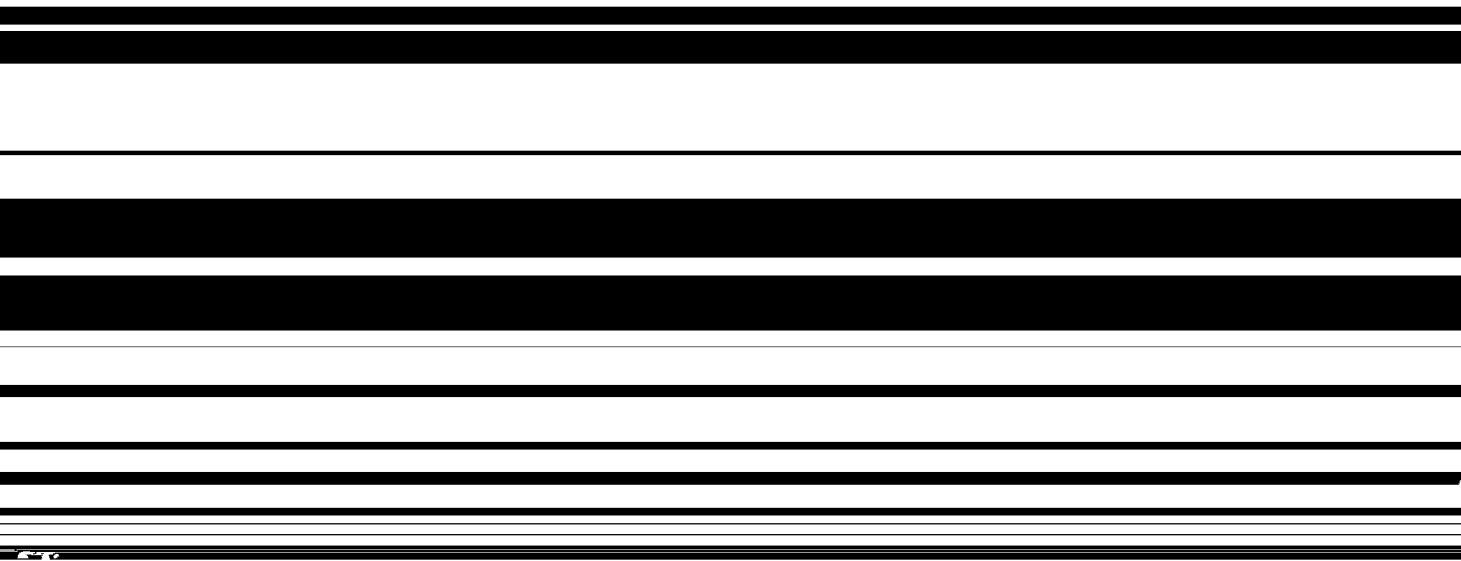
UNITED STATES OF AMERICA  
BEFORE THE FEDERAL TRADE COMMISSION

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In the matter of )  
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Evanston Northwestern Healthcare )  
Corporation, )  
a corporation, and )  
 )  
ENH Medical Group, Inc., )  
a corporation. )  
 )  
 )  
\_\_\_\_\_ )

Docket No. 9315

NOTICE OF ANTICIPATED REBUTTAL TESTIMONY

Complaint counsel anticipates calling Dr. Patrick Romano as a rebuttal witness to testify on Thursday, April, 7, 2005. Dr. Romano has been listed as a rebuttal witness since his rebuttal expert report dated November 23, 2004. Complaint Counsel has already given Respondent notice on March 28, 2005, five business days before this Thursday, that Dr. Romano would be called as a rebuttal witness. To date, Respondent has not raised any objections to Dr. Romano



being called to testify as a rebuttal witness. Dr. Romano will directly rebut testimony from

methodology does not take into account a “continuous trend” in quality. (Chassin, Tr. 5187:22-5188:12; DX 8061) He also testified that the “differences in differences” methodology Dr.

Romano used does not offer an accurate picture of the quality of care.

outcomes, compared to the performance of a control group of hospitals, even in situations where

the change in rate may not be “close to zero”. (Chassin, Tr. 5189:3-5190:17; DX 8061) Dr. Romano will explain in rebuttal that he did the trend analysis suggested by Dr. Chassin in his comparison of HPH’s performance to that of a control group of peer institutions, and that Dr. Chassin’s criticisms of the accuracy of the “differences in differences” methodology are not applicable in this matter.

Dr. Chassin also criticized the validity of certain indicators used by the Agency for

measures in assessing hospital quality of care for its accreditation process, contradicting testimony from Dr. Chassin that JCAHO does not rely on outcome measures. (Chassin Tr., 5157:6-9)

3. **Quality change at Evanston Hospital.** Dr. Chassin testified last week that there was no deterioration in quality at Evanston Hospital, in contradiction to the evidence expressed by Dr.

Romano. (Chassin Tr., 5274:6-5275:3; 5301:3-8; 5579:12-14). Dr. Chassin's assertion was based in large part on the claim that the National Registry of Myocardial Infarction (NRMI) data

used by Dr. Romano could not properly be used to support Dr. Romano's conclusion that the



**CERTIFICATE OF SERVICE**

This is to certify that a copy of the foregoing documents was hand delivered to

The Honorable Stephen J. McGuire  
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