



UNITED STATES OF AMERICA
Federal Trade Commission
Washington, D.C. 20580

James Reilly Dolan
Associate Director
Division of Financial Practices
Phone: 202-326-3292
Email: jdolan@ftc.gov

December 31, 2013

VIFEP

Kirkland & Ellis LLP
Attn: Andrew Clubok
601 Lexington Avenue
New York, NY 10022

Re: Accretive Health, Inc.

Dear Mr. Clubok:

As you know, the staff of the Federal Trade Commission's Division of Financial Practices has been conducting a non-public investigation of Accretive Health, Inc. ("Accretive") for possible violations of the Fair Debt Collection Act ("FDCPA"), 15 U.S.C. §§ 1692-1692p, and Section 5 of the Federal Trade Commission Act ("FTC Act"), 15 U.S.C. § 41 *et seq*. Specifically, our inquiry has focused on Accretive's conduct in collecting defaulted debts in hospital emergency rooms and other sensitive hospital areas.

The FDCPA, among other things, prohibits debt collectors from communicating with a consumer in connection with the collection of any debt "at any unusual time or place or a time or place known or which should be known to be inconvenient to the consumer." 15 U.S.C. § 1692c(a)(1). And the FTC Act generally prohibits "unfair or deceptive acts or practices in or affecting commerce." 15 U.S.C. § 45.

Attempts to collect defaulted debts in emergency rooms or other medical facilities raise serious consumer protection concerns. For example, collection attempts in such circumstances may have the effect of deterring consumers from seeking necessary medical care, because they fear that they will be confronted with debts that they do not have the means to pay. Some consumers may even fear that the hospital may withhold necessary treatment unless payments are made. Such collection attempts also could in

