



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

Office of the Commissioner

July 10, 2015

VIA EMAIL

The Honorable Marilyn W. Avila
North Carolina House of Representatives
2217 Legislative Building
16 W. Jones Street
Raleigh, NC 27601-1096

Dear Representative Avila,

I write to concur with the letter submitted by you on July 22, 2015, regarding the proposed repeal of Nebraska's CON law at 1 (Feb. 22, 1989) ("While we believe the outright repeal of CON regulation proposed in LB 745 would likely best serve the interests of health care consumers, we believe that passage of either of the other CON reform bills would likely also have significant positive effects on health care markets."), available at <https://www.ftc.gov/policy/policy-actions/advocacy-filings/1989/02/ftc-staff-comment-hon-bernice-labeledz-concerning>; FTC Staff Comments Concerning Repeal of Nebraska's CON law at 1 (Feb. 22, 1989) ("While we believe the outright repeal of CON regulation proposed in LB 745 would likely best serve the interests of health care consumers, we believe that passage of either of the other CON reform bills would likely also have significant positive effects on health care markets."), available at <https://www.ftc.gov/policy/policy-actions/advocacy-filings/1989/02/ftc-staff-comment-hon-bernice-labeledz-concerning>; FTC Staff Comments Concerning Repeal of Pennsylvania's CON Law at 14 (Mar. 30, 1988) ("We believe that the continued existence of CON regulation would be contrary to the interests of health care consumers in Pennsylvania."), available at <https://www.ftc.gov/policy/policy-actions/advocacy-filings/1988/03/ftc-staff-comment-hon-john-f>

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stringent CON laws, such as North Carolina, the stringency of the program is positively and significant