

**Dissenting Statement of Commissioner Julie Brill on the Joint Statement of the  
Federal Trade Commission and the Antitrust Division of the U.S. Department of  
Justice on Certificate-of-Need Laws and South Carolina House Bill 3250**

**January 8, 2016**

The Federal Trade Commission (FTC) and the Antitrust Division of the U.S. Department of Justice (DOJ) have issued a joint statement regarding South Carolina House Bill 3250 (HB 3250). The joint statement expresses concern that HB 3250, which would restrict the ability of hospitals to enter into joint venture arrangements with other health care providers, could have anticompetitive effects. The FTC and DOJ are concerned that HB 3250 could reduce competition and increase costs for consumers.

Before the FTC, I have expressed my concerns about the potential anticompetitive effects of HB 3250. I believe that the joint statement issued by the FTC and DOJ is overly cautious and does not adequately consider the potential benefits of HB 3250. I believe that the joint statement is based on a narrow view of competition and does not take into account the broader context of the health care market.

I am disappointed that the FTC and DOJ have issued a joint statement that is so narrowly focused on potential anticompetitive effects. I believe that the joint statement is based on a narrow view of competition and does not take into account the broader context of the health care market. I believe that the joint statement is based on a narrow view of competition and does not take into account the broader context of the health care market.





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## Appendix

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