



PRESS RELEASE

Justice Department Sues to Block UnitedHealth Group's Acquisition of Home Health and Hospice Provider Amedisys

Tuesday, November 12, 2024

For Immediate Release

Office of Public Affairs

Transaction Threatens to Negatively Affect Care for Vulnerable Patients and Harm Home Health and Hospice Nurses Critical to Providing that Care

The Justice Department, together with the Attorneys General of Maryland, Illinois, New Jersey, and New York, filed a civil antitrust lawsuit today to block UnitedHealth Group Incorporated (UnitedHealth)'s proposed \$3.3 billion acquisition of rival home health and hospice services provider Amedisys Inc. (Amedisys). The complaint filed in the District of Maryland alleges that the transaction would eliminate competition between UnitedHealth and Amedisys (Defendants). Since UnitedHealth's prior acquisition of Amedisys's home health and hospice rival LHC Group Inc. (LHC) in 2023, Defendants have been two of the largest home health and hospice providers in the United States. Eliminating the competition between UnitedHealth and Amedisys would harm patients who receive home health and hospice services, insurers who contract for home health services, and nurses who provide home health and hospice services.

“We are challenging this merger because home health and hospice patients and their families experiencing some of the most difficult moments of their lives deserve affordable, high quality care options,” said Attorney General Merrick B. Garland. “The Justice Department will not hesitate to check unlawful consolidation and monopolization in the healthcare market that threatens to harm vulnerable patients, their families, and health care workers.”

“Millions of patients depend on United and Amedisys to receive home health and hospice care in the comfort of their homes,” said Principal Deputy Associate Attorney General Benjamin C. Mizer. “The Department’s lawsuit demonstrates our commitment to ensuring that consolidation does not threaten quality, affordability, or wages in these vital healthcare markets. I commend the staff of the Antitrust Division for their extraordinary work on this matter.”

“American healthcare is unwell. Unless this \$3.3 billion transaction is stopped, UnitedHealth Group will further extend its grip to home health and hospice care, threatening seniors, their families and nurses,” said Assistant Attorney General Jonathan Kanter of the Justice Department’s Antitrust Division. “I want to thank my colleagues at the Antitrust Division for their tireless efforts to fight on behalf of Americans for a competitive economy.”

As described in the [complaint](#), home health and hospice services constitute critically important parts of the American healthcare system. Home health care helps patients recover from hospitalization or receive continuing treatment for a chronic condition at home, while hospice provides comfort and support to terminally ill patients and their family members. Patients rely on the skill and expertise of home health and hospice nurses, who must effectively treat patients at home.

Today, Defendants are fierce competitors in the provision of home health and hospice services. According to the complaint, Amedisys’s former CEO and current Board Chairman, has acknowledged that the “pure competition” between UnitedHealth and Amedisys helps them “keep each other honest” and “driv[e] better and better quality” to the benefit of their patients. Further, the two companies view each other as close competitors for home health and hospice nurses. UnitedHealth’s proposed acquisition of Amedisys would eliminate that competition and threaten the benefits it provides. UnitedHealth’s market share after the transaction would make the merger presumptively illegal in:

- Hundreds of local home health care markets, with an annual volume of commerce exceeding \$1.6 billion annually, in 23 states and the District of Columbia;
- Dozens of local hospice markets, with an annual volume of commerce exceeding \$300 million annually, in 8 states; and
- Hundreds of local markets for home health and hospice nurse labor, employing at least 8,000 nurses, in 24 states.

To address some of the overlaps between UnitedHealth and Amedisys, UnitedHealth has proposed to divest certain facilities to VitalCaring Group (VitalCaring). But as the complaint alleges, the proposed divestiture does not alleviate harm in over 100 home health, hospice, and labor markets, which generate at least a billion dollars in revenue annually, serve at least 200,000 patients, and employ at least 4,000 nurses. As further alleged in the complaint, VitalCaring has lower quality scores than either UnitedHealth or Amedisys and is beset by financial challenges, including a potential legal judgment approaching a half-billion dollars. According to a Texas court, before becoming CEO of VitalCaring, its current CEO was running a competitor of VitalCaring while also running VitalCaring “from the shadows.”

The United States also seeks civil penalties against Amedisys for falsely certifying compliance with its obligations under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (HSR Act). The complaint alleges that Amedisys violated the HSR Act because, at the time of its sworn certification, Amedisys failed to produce millions of documents or disclose the deletion of other documents. For each day that Amedisys was in violation of the HSR Act, the United States seeks a monetary penalty of up to \$51,744, as authorized by statute.

UnitedHealth is a publicly traded Delaware corporation headquartered in Minnetonka, Minnesota. UnitedHealth is a vertically integrated insurer, healthcare provider, pharmacy benefit manager, and healthcare software and services vendor that brought in \$372 billion in revenue in 2023. In 2022, before their company was acquired by UnitedHealth, LHC nurses and other healthcare professionals made approximately 12 million visits to patients in 37 states and the District of Columbia and earned over \$2.3 billion in revenue.

Amedisys is a home health and hospice services provider and a publicly traded Delaware corporation headquartered in Baton Rouge, Louisiana. In 2023, Amedisys nurses and other healthcare professionals made 10.6 million visits to patients in 37 states and the District of Columbia, earning the company \$2.2 billion in revenue.

Updated November 12, 2024

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U.S. Department of Justice
950 Pennsylvania Avenue, NW
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