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For Release

# Statement of Federal Trade Commission Bureau of Competition Deputy Director John M. Newman on Federal Appeals Court Ruling Affirming Preliminary Injunction to Halt Merger of New Jersey Hospital Networks

March 22, 2022

**Tags:** [Competition](#) | [Bureau of Competition](#) | [Merger](#) | [Horizontal](#) | [Health Care](#) | [Hospitals and Clinics](#)

Federal Trade Commission Bureau of Competition Deputy Director John M. Newman issued this statement regarding the U.S. Court of Appeals for the Third Circuit [decision affirming](#) the [district court's August 2021 decision](#) to grant a preliminary injunction against Hackensack Meridian Health, Inc.'s proposed acquisition of Englewood Healthcare Foundation:

"Today's win affirms the FTC's consistent position: that patients and their families in Bergen County, New Jersey would be poorly served by this anticompetitive merger. Had it been allowed to proceed, patients would have been left with fewer alternatives for inpatient general acute care services, which likely would have driven up prices and diminished the quality of care available in the area."

After affirming that the "FTC may establish a prima facie case by showing a high market concentration based on HHI numbers alone," the U.S. Court of Appeals decision concluded that "the District Court did not err in holding that the hospitals failed to rebut the prima facie case that the merger is likely to substantially lessen competition."

In December 2020, the FTC filed an [administrative complaint](#), charging that the merger would eliminate close competition between Hackensack Meridian and Englewood, and that the merged healthcare system would control three of the six inpatient general acute care hospitals in Bergen County, New Jersey. The administrative trial is scheduled to begin on April 22, 2022.

The Federal Trade Commission works to [promote competition](#), and protect and educate consumers.

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#### Press Release Reference

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[FTC Challenges Hackensack Meridian Health, Inc.'s Proposed Acquisition of Competitor Englewood Healthcare Foundation](#)

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