Health Care Financial Transactions Manual
Highlights – 2026-1

This new Edition to Health Care Financial Transactions Manual includes new and updated case law, enforcement actions, and guidance consisting of new content in the following areas:

- Ninth Circuit upholds Oregon's Health Care Market Oversight law requiring state approval for mergers and other large health care transactions in the state. Oregon Association of Hospitals and Health Systems v. Oregon, 2025 WL 1833815 (9th Cir. July 3, 2025) (see § 2:4);
- Updated OIG Advisory Opinions relating to issues such as physicians with an ownership interest in a device manufacturer, vaccine discount structures, and sign on bonuses for home care agency employees. (see Appendix 4:89 to Appendix 4:93);
- Updated list of 2025 and 2026 OIG enforcement actions and exclusions. (see Appendix 5:35 and Appendix 5:36);
- FTC announces resignation of three individuals from their positions on the Board of Directors of Sevita Health in response to FTC's attempted enforcement of the Clayton Act prohibiting directors and officers from serving simultaneously on the boards of competitors. (see § 20:39);
- Indiana approves hospital merger based on Certificate of Public Advantage over the objection of the FTC. (see § 20:39);
- FTC merger settlement requires divestiture of over 100 healthcare facilities to resolve antitrust concerns surrounding a proposed $835 million acquisition of a community living business. (see § 20:39);
- 22 state attorneys general sign letter reinforcing EMTALA requirement for hospitals to provide emergency abortion care. (see § 20:62); and
- DEA announces settlement with physician who issued prescriptions to individuals without complying with the minimum requirements imposed on Texas physicians in treating patients for pain or chronic pain conditions. (see § 20:81).