

Highlights to the 2026-2 Edition of Health Care and Antitrust Law

This Edition of Health Care and Antitrust Law includes new and updated case law, government enforcement actions, and compliance guidance, consisting of new content in the following areas:

- Ninth Circuit upholds permanent injunction in Robinson-Patman case involving eyedrops. *LA International Corp. v. Prestige Brands Holdings, Inc.*, 168 F.4th 608 (9th Cir. 2026) (§ 7:5);
- FTC settles unfair competition case with Express Scripts over insulin prices (§ 7:13);
- District court vacates and sets aside FTC Final Rule that significantly expanded the amount of documents and information merging companies must provide to the government. *Chamber of Commerce of United States of America v. Federal Trade Commission*, 2026 WL 402498 (E.D. Tex. 2026) (§ 8:17);
- FTC requires Sevita Health to divest more than 100 healthcare facilities to resolve antitrust concerns surrounding its proposed \$835 million acquisition of BrightSpring Health Services, Inc.’s community living business (§ 15:2);
- FTC dismisses complaint relating to GTCR’s acquisition of Surmodics after district court declines to grant government’s request for preliminary injunction relating to medical device coating makers (§ 15:34);
- District court grants FTC’s request for preliminary injunction to temporarily prevent Edwards from acquiring JenaValve in antitrust matter over medical devices for transcatheter aortic valve replacement for aortic regurgitation. *Federal Trade Commission v. Edwards Lifesciences Corp.*, 2026 WL 228723 (D.C. Dist. January 28, 2026) (§ 15:34);
- Letter from FTC Office of Policy Planning Acting Director Clarke Edwards to Senator Juan Barnett Concerning Mississippi H.B. 1057 to Address the Practice of Advanced Practice Registered Nurses (January 25, 2026) (App. F15); and

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- Updated Overviews of FTC Actions in Health Care Services and Products and in Pharmaceutical Products and Distribution (December 2025) (Apps. L1 and L2).