



Testimony in Opposition to LD 2202:

“An Act to Require Notice to the Attorney General Prior to the Merger of Certain Health Care Entities as Recommended by the Commission to Evaluate the Scope of Regulatory Review and Oversight over Health Care Transactions That Impact the Delivery of Health Care Services in the State”

Senator Bailey, Representative Mathieson, and distinguished members of the Joint Standing Committee on Health Coverage, Insurance and Financial Services, my name is Montana Towers, and I serve as policy analyst for Maine Policy Institute. Maine Policy is a free market think tank, a nonpartisan, nonprofit organization that advocates for individual liberty and economic freedom in Maine. Thank you for the opportunity to submit testimony in opposition to LD 2202, “An Act to Require Notice to the Attorney General Prior to the Merger of Certain Health Care Entities as Recommended by the Commission to Evaluate the Scope of Regulatory Review and Oversight over Health Care Transactions That Impact the Delivery of Health Care Services in the State.”

While LD 2202 may appear modest in isolation, it adds another layer of bureaucratic red tape to Maine’s health care system. This burden offers little public benefit while increasing regulatory pressure on providers.

Current Law and More Mandates

Under current federal law, health care entities engaged in qualifying mergers or acquisitions must already file a premerger notification under the Hart-Scott-Rodino Act with the Federal Trade Commission and the U.S. Department of Justice. LD 2202 would require these same entities to also submit their filings to the Maine Attorney General, duplicating a process federal authorities already administer and enforce.

This bill does not enhance transparency, prevent anti-competitive behavior, or improve health outcomes. It simply adds another reporting requirement, another agency to notify, and another administrative burden on health care providers, many of whom are already struggling to remain solvent. LD 2202 does not meaningfully improve oversight, it only increases paperwork.

A Trend of Overregulation

Maine Policy Institute has long warned of the dangers posed by overregulation, particularly in health care. Rather than building more bureaucratic hurdles, we should be working to foster a climate where innovative, patient-centered models of care can flourish, especially in our most underserved regions.



LD 2202 reflects a broader and concerning trend, using legislation to insert state government deeper into the internal workings of private entities, even when federal oversight already provides sufficient review.

If the Attorney General's Office wishes to examine mergers that impact Maine, it can already do so in coordination with federal authorities. This bill does not empower the AG, it simply burdens Maine's health care institutions with another reporting mandate.

For these reasons, Maine Policy Institute urges this committee to vote "Ought Not to Pass" on LD 2202. Thank you for your time and consideration.