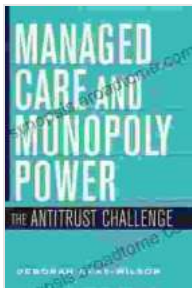


# Managed Care and Monopoly Power: The Antitrust Challenge

Managed care is a type of health insurance that emphasizes cost containment and efficiency. Managed care plans typically use a network of doctors and hospitals that have agreed to provide services at a discounted rate. This can lead to lower premiums for consumers, but it can also raise concerns about access to care and quality of care.



## Managed Care and Monopoly Power: The Antitrust Challenge by Deborah Haas-Wilson

★★★★★ 5 out of 5

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One of the biggest concerns about managed care is that it can lead to monopoly power. Monopoly power occurs when a single company or group of companies controls a large share of a market. This can give the company or companies the ability to raise prices, reduce output, or otherwise harm consumers.

There is evidence that managed care companies have been able to exercise monopoly power in some markets. For example, a study by the American Medical Association found that managed care plans in some

states have been able to negotiate 大幅な割引|with doctors and hospitals. This has led to lower premiums for consumers, but it has also made it more difficult for some doctors and hospitals to stay in business.

The antitrust laws are designed to prevent companies from exercising monopoly power. The Sherman Act, which was passed in 1890, prohibits companies from engaging in anticompetitive conduct, such as price fixing, bid rigging, and tying arrangements. The Clayton Act, which was passed in 1914, prohibits companies from acquiring other companies if the acquisition would substantially lessen competition.

The antitrust laws have been used to challenge monopoly power in the managed care industry. For example, in 1993, the Department of Justice filed a lawsuit against Aetna, alleging that the company had used its monopoly power to exclude competitors from the market. The lawsuit was eventually settled, and Aetna agreed to change its business practices.

The antitrust laws are a powerful tool for promoting competition and protecting consumers. However, the laws can be difficult to enforce in the managed care industry. This is because the industry is complex and rapidly changing. It can be difficult for antitrust enforcers to keep up with the latest developments and to identify and prosecute anticompetitive conduct.

## **The Antitrust Challenge**

The antitrust challenge in the managed care industry is to promote competition and protect consumers while allowing managed care plans to achieve their goals of cost containment and 効率性. This is a difficult balancing act, but it is one that antitrust enforcers must strive for.

There are a number of ways that antitrust enforcers can promote competition in the managed care industry. One way is to challenge mergers and acquisitions that would substantially lessen competition. Another way is to investigate and prosecute anticompetitive conduct, such as price fixing, bid rigging, and tying arrangements. Antitrust enforcers can also work with state and local governments to enforce the antitrust laws.

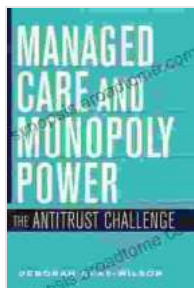
In addition to antitrust enforcement, there are a number of other things that can be done to promote competition in the managed care industry. For example, states can pass laws that make it easier for new managed care plans to enter the market. States can also regulate the managed care industry to ensure that plans are not engaging in anticompetitive conduct.

Consumers can also play a role in promoting competition in the managed care industry. Consumers can shop around for the best deals on managed care plans. Consumers can also file complaints with antitrust enforcers if they believe that a managed care plan is engaging in anticompetitive conduct.

The antitrust challenge in the managed care industry is a complex one. However, it is a challenge that antitrust enforcers, state and local governments, and consumers must work together to meet. By promoting competition and protecting consumers, we can ensure that the managed care industry is working in the best interests of everyone.

Managed care is a complex and rapidly changing industry. The antitrust laws are a powerful tool for promoting competition and protecting consumers in this industry. However, the laws can be difficult to enforce in the managed care industry. It is important for antitrust enforcers, state and

local governments, and consumers to work together to meet the antitrust challenge in the managed care industry.



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