

Appendix A

[Letterhead of Physician Practice Respondent]

[Date]

[Name and Address of Participating Physician]

Dear [Participating Physician]:

On [Date], the Federal Trade Commission (“FTC”) issued a complaint and decision and order (“Order”) against New Century Health Quality Alliance, Inc. (“New Century”), Prime Care of Northeast Kansas, L.L.C. (“Prime Care”), and various officials and physician practice members of those organizations, including [Physician Practice Respondent]. Pursuant to Paragraph VIII.A. of the Order [Physician Practice Respondent] must provide you with notice of this Order, and this letter is intended to provide that notice.

The Order is designed to correct illegal conduct described by the FTC in the complaint, which alleges, in part, that New Century, Prime Care, certain New Century and Prime Care officials, and certain New Century and Prime Care members violated federal antitrust laws by agreeing to fix prices and other terms on which they would contract with health plans and by refusing to contract with health plans except on collectively determined terms. In short, the Order prohibits New Century, Prime Care, the New Century and Prime Care officials named in the Order, and the New Century and Prime Care physician practice members named in the Order, including [Physician Practice Member], from entering into or facilitating any agreement between or among physicians (1) to negotiate with health plans on any physicians’ behalf, (2) to deal, not to deal, or threaten not to deal with health plans on any physicians’ behalf, (3) regarding on what terms to deal with any health plan, or (4) to not deal individually with any health plan.

Certain legitimate joint-contracting arrangements among competing physicians are exempted from the general prohibition. These arrangements would include, for example, qualified risk-sharing joint arrangements and qualified clinically-integrated joint arrangements, as defined in the Order. The FTC must still be given prior notification of these arrangements, however.

The Order expires in twenty years. A copy is enclosed for your review.

Sincerely,

[Signatory]