

To FTC Notice & Comment,

My name is Rusty Trevino and I'm a law student at the University of Colorado in Boulder. I'm commenting on the "Proposed Consent Agreement: St. Cloud Medical/CentraCare: Section IV," more specifically the clause designed to encourage the creation of new competitors and strengthening of smaller competitors.

The current plan is to have CentraCare deposit \$500,000 to be distributed as departure payments to doctors starting their own practices or joining small practices. This method seems somewhat flawed if the purpose is to create new competitors, since \$100,000 is hardly adequate to create a practice that would be competitive with CentraCare.

As of this current plan, the incentive for the doctors is to take the \$100,000 and join smaller firms and pocket the money without creating any new competition. I propose splitting the \$500,000 into two separate incentive accounts, one that will create competition and a smaller account to encourage the strengthening of smaller medical practices.

In order to achieve the primary goal of creating new competition, the first account would be an award of \$350,000. This award would be given to any three doctors that agreed to leave CentraCare and start a new practice together. This would alleviate the prohibitive start-up costs of a medical practice by splitting infrastructure, medical staff, and administrative staff that would be needed by even a one doctor practice. Allowing those costs to be split among three doctors creates a better opportunity for the economic sustainability of the practice. It also allows the doctors to focus on the care of their patients rather than running a business, which can be allocated to administrative staff. This also creates the possibility of faster competition creation since legal and regulatory hurdles are also able to be more easily overcome with pooled resources.

The second incentive account would be the last \$150,000, which could be divided into \$50,000 per doctor that decided to leave and join smaller practices. This plan creates the incentive for doctors to join a smaller practice to strengthen competition more immediately but takes into account that greater start-up money is needed in order to create new competition in the area.

Thank you for your time,
Rusty Trevino