



## Clinical Integration in Health Care: A Check-Up

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### Participant Biographies

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#### **Kenneth T. Bowden II**

Mr. Bowden is Senior Counsel for CIGNA HealthCare. His primary focus is on provider contracting and relations including provider antitrust issues, regulatory matters, sales and underwriting, producer licensing and compensation, and stop loss. Prior to CIGNA HealthCare's acquisition of the company, Mr. Bowden was Assistant General Counsel for Healthsource, Inc. where he served as the company's national litigation manager. He also oversaw Healthsource's anti-fraud initiatives and programs. In addition, Mr. Bowden achieved a highly respected reputation in the public sector, serving as an Assistant Attorney General in the New Hampshire Attorney General's Office from 1989 to 1996 where he was the Director of the Medicaid Fraud Control Unit. He was also an Assistant Attorney General in the Massachusetts Medicaid Fraud Control Unit from 1981 to 1989 and was Unit Chief from 1987 to 1989. As a health care fraud investigator and prosecutor, Mr. Bowden pioneered the use of relational databases as an investigative tool in health care fraud cases. He also served as a staff counsel with the Massachusetts Rate Setting Commission. Mr. Bowden is the author and coauthor of several articles including *Government Antitrust Enforcement Against Health Care Providers: The Payor Victim's Perspective*, 10 HMOs AND HEALTH PLANS (AHLA) (Winter 2007); *To Diligently Inquire: New Hampshire Grand Jury Practice* (New Hampshire Department of Justice, 1994); and *Determining A Reasonable Price For Health Care In The United States: Is This Possible*, 34 THE BRIEF 26 (ABA, Tort Trial and Insurance Practice Section) (Spring 2005). He is a graduate of New York University and the Boston University School of Law.

#### **Jeffrey W. Brennan**

Jeffrey W. Brennan is a partner in the Antitrust/Competition Group at Dechert LLP in Washington, D.C., where his practice focuses on government antitrust investigations, mergers, litigation, and counseling in the health care/pharmaceuticals sector as well as other industries. Mr. Brennan joined Dechert in 2006 following five years in senior positions at the Federal Trade Commission—most recently (2005-2006) as Associate Director of the Bureau of Competition and, from 2001-2004, as Assistant Director, responsible for the Health Care Services and Products Division. During his FTC tenure, Mr. Brennan directed many antitrust investigations and enforcement actions aimed at conduct and mergers among physician organizations and their agents, hospital organizations, and pharmaceutical companies—resulting in over 30 consent orders. He also issued numerous staff advisory opinions on emerging health care provider competition issues, including on clinical integration (MedSouth), various joint contracting models, and pricing surveys, among others. Mr. Brennan was both a speaker and moderator for the FTC-DOJ health care hearings, a contributor to the 2004 FTC-DOJ report on health care markets (*A Dose of Competition*), and the FTC's principal writer of the 2006 FTC-DOJ *Commentary on the Horizontal Merger Guidelines*. He is a 1985 graduate of Georgetown University Law Center.

### **Lawton R. Burns**

Lawton R. Burns, Ph.D., M.B.A., is the Chair of the Health Care Systems Department, James Joo-Jin Kim Professor, and Professor of Health Care Systems in the Wharton School at the University of Pennsylvania. He is also Director of the Wharton Center for Health Management & Economics. Dr. Burns teaches courses on healthcare strategy, strategic change, organization and management, managed care, and integrated delivery systems. He received his doctorate in Sociology and his MBA in Health Administration from the University of Chicago. Dr. Burns taught previously in the Department of Preventive Medicine at the University of Wisconsin School of Medicine, the Graduate School of Business at the University of Chicago, and the College of Business Administration at the University of Arizona. Dr. Burns sits on the Governing Board of the Institute of Medicine (Health Services section) and on the editorial board of Health Services Research. He is a past member of the Grant Review Study Section for the Agency for Health Care Policy & Research, and he is also a Life Fellow of Clare Hall at the University of Cambridge. In recognition of his research on physician-organization integration, Dr. Burns was named the Edwin L. Crosby Memorial Fellow by the Hospital Research and Educational Trust in 1992. Dr. Burns has also published several papers on the structure and performance of physician networks, the market forces that shape the growth of group practices and investor-owned networks, and the organizational options for physicians in a consolidating industry. Dr. Burns is now completing a book on the bankruptcy of the Philadelphia hospital market. Most recently, he has completed a book on supply chain management in the health care industry: *The Health Care Value Chain* (Jossey-Bass, 2002).

### **Douglas W. Emery**

Doug Emery has been working in health care reform policy for over 14 years. Beginning in 1991, at the Institute of Political Economy, he and other colleagues began to work out a new microeconomic model for health care economics and episode of care purchasing. Since then, Mr. Emery has worked in the public sector (Public Employees Health Program of Utah), non-profit sector (eHealth Initiative), and the private sector as an executive and consultant (Oxford Health Plans, HealthSouth, HealthMarket, Medstat, Definity Health, etc.). Mr. Emery has published many articles and two books on moving towards episode of care, or Evidence-informed Case Rate purchasing. Currently, he serves as Operations Manager for Prometheus Payment Inc.

### **Kenneth W. Field**

Ken Field is Counsel to the Director of the Federal Trade Commission's Bureau of Competition. Mr. Field is responsible for, among other things, the Bureau divisions that review both mergers and conduct in the health care industry. Prior to becoming Counsel to the Director of the Bureau of Competition, Mr. Field was an associate in the antitrust practice group of Jones Day where he represented clients in antitrust litigation, mergers and acquisitions, and civil non-merger matters before state and federal antitrust authorities. Mr. Field is a *cum laude* graduate of the Georgetown University Law Center, where he earned a J.D./M.B.A. in 2002. From 1996 to 1998, Mr. Field worked for the Antitrust Division of the U.S. Department of Justice.

### **Richard A. Feinstein**

Richard A. Feinstein is a partner in the Washington, D.C. office of Boies, Schiller & Flexner LLP and has practiced antitrust law for more than 30 years. His main practice areas include antitrust litigation and counseling, often in relation to the health care industry. From October 1998 to June 2001, he served as an Assistant Director of the Bureau of Competition at the Federal Trade Commission, in charge of the Bureau's Health Care Services and Products Division.

Prior to his work at the FTC, he practiced at the Washington, D.C. firm of McKenna & Cuneo, LLP, where he served as Chairman of the Health Care Department and headed the firm's Antitrust Practice Group. Mr. Feinstein has broad experience in complex litigation and has served as lead or co-lead counsel in a number of prominent cases, including, for example, *FTC v. Mylan Laboratories*. Significant recent matters include representing American Express in its antitrust action against Visa and several banks which resulted in a recovery of \$2.25 billion. Before entering private practice in 1985, Mr. Feinstein worked as a trial attorney in the Antitrust Division of the U.S. Department of Justice, and he also served as Acting Deputy Director of the Division's Office of Policy Planning and as Acting Assistant Chief of the Division's Energy Section. Mr. Feinstein speaks and writes frequently on antitrust and health care issues, and currently serves as a Vice-Chair of the American Health Lawyers Association Antitrust Practice Group. He is a 1974 graduate of Yale University and a 1977 graduate of Boston College Law School.

### **Thomas L. Garthwaite**

Thomas L. Garthwaite is the Executive Vice President and Chief Medical Officer of Catholic Health East. Dr. Garthwaite provides leadership in clinical services through system-wide efforts to improve the quality of care, assure patient safety, disseminate best practices, assess new technology, enhance physician satisfaction, and maximize performance. He also plays a leadership role in defining the clinical uses, standards and priorities for the clinical uses of information technology. Dr. Garthwaite is a graduate of Cornell University and the Temple University School of Medicine. He received training in internal medicine and endocrinology at the Medical College of Wisconsin where he went on to become an Associate Professor of Medicine and Associate Dean. He was Chief of Staff at the Milwaukee VA Medical Center for eight years prior to becoming the Deputy Under Secretary for Health in the Department of Veterans Affairs in 1995. During his tenure as Deputy and then Under Secretary for Health, the VA underwent a profound transformation. The VA is now seen as a leader in quality of care and the clinical use of computers. From 2002 until joining CHE in 2006, Dr. Garthwaite served as the Director and Chief Medical Officer of the Los Angeles County Department of Health Services.

### **Gregory Goggans**

Greg Goggans is the Director of Benefits Design for Wal-Mart Stores, Inc. He has been with Wal-Mart's benefits department for twelve years. His primary focus is U.S. medical plan design, network development, health savings accounts, and paid time off policy. Additionally, he works closely with Wal-Mart's international division on a range of medical plan and expatriate issues, with the Sam's Club division on health insurance offerings for their small business members, and with the government relations team on a variety of state and federal health policy issues. Greg received a B.S. and M.S. from the University of Arkansas.

### **William E. Kovacic**

William E. Kovacic was designated to serve as Chairman of the Federal Trade Commission on March 30, 2008, by President George W. Bush. Kovacic was previously sworn in as a Commissioner in January 2006, following his nomination by the President and confirmation by the U.S. Senate. Prior to his appointment as FTC Commissioner, Kovacic was the E.K. Gubin Professor of Government Contracts Law at George Washington University Law School, where he began to teach in 1999. He was the FTC's General Counsel from 2001 through the end of 2004. Kovacic earlier worked at the Commission from 1979 to 1983, first with the Bureau of Competition's Planning Office and later as an attorney advisor to former Commissioner George

W. Douglas. After leaving the FTC in 1983, Kovacic was an associate with the Washington, D.C., office of Bryan Cave, where he practiced in the firm's antitrust and government contracts departments, until joining the George Mason University School of Law in 1986. Earlier in his career, he spent one year on the majority staff of the Subcommittee on Antitrust and Monopoly of the U.S. Senate Committee on the Judiciary, which was chaired by Senator Philip A. Hart. Since 1992, Kovacic has served as an adviser on antitrust and consumer protection issues to the governments of Armenia, Benin, Egypt, El Salvador, Georgia, Guyana, Indonesia, Kazakhstan, Mongolia, Morocco, Nepal, Panama, Russia, Ukraine, Vietnam, and Zimbabwe. Kovacic graduated with a bachelor's degree from Princeton University in 1974, and received his J.D. from Columbia University in 1978. He lives in Virginia, with his wife, Kathryn Fenton.

### **Bruce E. Landon**

Bruce E. Landon, M.D., M.B.A., is an Associate Professor of Health Care Policy and Medicine at Harvard Medical School. He practices internal medicine at the Beth Israel Deaconess Medical Center in Boston, Massachusetts. Dr. Landon's primary research interest has been assessing the impact of different characteristics of physicians and health care organizations, ranging from health plans to physician group practices, on the provision of health care services. He is the principal investigator of several studies funded by the AHRQ. In Dr. Landon's recent research, he has studied the effect of quality improvement collaboratives for under-served patients, paying for quality initiatives adopted by health plans throughout the country, physician profiling, and longitudinal determinants of physician satisfaction. His previous research has examined the influence of personal, practice, and market characteristics on physician practice patterns, differences between for-profit and not-for-profit health plans serving the Medicaid and Medicare populations, and the relationship between physician expertise and quality of care for HIV disease. Dr. Landon graduated *summa cum laude* from the Wharton School at the University of Pennsylvania with a major in finance. He received his M.D. degree from the University of Pennsylvania School of Medicine, and an M.B.A. with a concentration in health care management from the Wharton School. He also received a M.Sc. in Health Policy from the Harvard School of Public Health.

### **Thomas H. Lee**

Thomas H. Lee, M.D., an internist and cardiologist, is Network President for Partners Healthcare System, the integrated delivery system founded by Brigham and Women's Hospital and Massachusetts General Hospital, and Chief Executive Officer for Partners Community HealthCare. He is a graduate of Harvard College, Cornell University Medical College, and the Harvard School of Public Health. He is a Professor of Medicine at Harvard Medical School and Professor of Health Policy and Management at the Harvard School of Public Health. His research interests include risk stratification and optimal management strategies for common cardiovascular problems and improvement of quality of care, with a particular focus on critical pathways, guideline development and implementation, and managed care. Dr. Lee is co-chair of the Committee for Performance Measures of the National Committee for Quality Assurance (NCQA) and has been the Chairman of NCQA's Cardiovascular Measurement Advisory Panel since 1996. He is a member of the Massachusetts Health Care Quality and Cost Council and the Boards of Directors of Geisinger Health System and of Bridges to Excellence. Dr. Lee is a member of the Board on Health Care Services of the Institute of Medicine and a member of the Board of Overseers of the Malcolm Baldrige National Quality Award. He is the Editor-in-Chief for *The Harvard Heart Letter* and Associate Editor of *The New England Journal of Medicine*.

### **Robert F. Leibenluft**

Bob Leibenluft's practice is devoted entirely to health and antitrust matters, including counseling and litigation regarding antitrust issues in the health, medical device, and pharmaceutical industries. Upon completing law school, Bob worked as an attorney advisor in the Federal Trade Commission's Office of Policy Planning, concentrating on health and antitrust matters. In 1981, he joined Hogan & Hartson and became a partner in the firm in 1989. He practiced health law at Hogan & Hartson until January 1996, when he rejoined the FTC as Assistant Director for Health Care in the FTC's Bureau of Competition. As head of the Health Care Division, Bob supervised a 25-30 person staff engaged in the review of mergers, acquisitions, and joint ventures involving hospitals, physicians, and other health care providers, as well as conduct in the health care and pharmaceutical industries. He rejoined Hogan & Hartson again in September 1998. Bob writes and lectures extensively on health law topics. His articles on health care matters have appeared in *Health Affairs*, *The New England Journal of Medicine*, *Vanderbilt Law Review*, *The American Journal of Psychiatry*, *Business and Health*, *Pharmaceutical Executive*, *Medical Device & Diagnostic Industry*, and other books and journals.

### **Arthur N. Lerner**

Art Lerner is a partner with the law firm Crowell & Moring LLP in Washington, D.C., practicing in the health law field, with particular emphasis on antitrust. He advises and represents health plans, hospitals, medical groups, pharmacy benefit management organizations, trade and professional associations, and other health care clients. From 1976 to 1985, Mr. Lerner practiced antitrust and trade regulation law at the Federal Trade Commission. From 1982 to 1985, he directed the health care division of the FTC's Bureau of Competition. He also served as attorney advisor to the FTC's chairman, as the deputy assistant director for health care, and as a health care litigation attorney. He is former Chair of the Antitrust Practice Group of the American Health Lawyers Association (2004-2007) and of the Federal Civil Enforcement Committee of the Antitrust Section of the American Bar Association (2004-2007). He has been appointed to the Board of Directors of the American Health Lawyers Association for 2008-2009. He is co-editor of *Joint Ventures in Health Care: An Antitrust Analysis* (American Bar Association, 2000). Mr. Lerner is a 1973 graduate of the University of Michigan, and a 1976 graduate, *magna cum laude*, of the Harvard Law School.

### **John P. Marren**

John P. Marren has ten years of hospital experience as well as twenty-five years experience as an attorney in health care transactions and regulatory compliance. His experience includes: ten years hospital employment in clinical and non-clinical positions; twenty-plus years representation of hospitals, physicians, managed care companies and others; regulatory compliance, mergers, acquisitions, system formation, negotiations; and pioneered managed care legal issues, including significant involvement in structuring clinically integrated provider networks and representing them in antitrust compliance matters, such as the defense of one such program in an antitrust suit by Blue Cross; the defense of an antitrust claim in arbitration brought by United Health Care; and the investigation of another program by the FTC. Mr. Marren is the Consulting Editor of the "Managed Care Law Manual, Health Law Center." Mr. Marren is also an adjunct faculty member of Loyola University of Chicago College of Law and has been an adjunct faculty member with the J.L. Kellogg Graduate School of Management, Northwestern University. Mr. Marren is a member of the American Health Lawyers Association, the Chicago Bar, and the Illinois State Bar and American Bar Associations. Mr. Marren was admitted to the Illinois Bar in 1983 and is a founding partner of Hogan Marren, Ltd., formed in 1993. Prior to that, Mr. Marren was a capital partner in the firm of Katten, Muchin & Zavis in

Chicago.

### **Markus H. Meier**

Markus H. Meier is the Assistant Director of the Health Care Division of the Federal Trade Commission's Bureau of Competition in Washington, D.C. In this capacity, he has day-to-day management responsibility for an office comprised of more than thirty lawyers, paralegals, and support staff. Markus also leads investigations and litigation involving alleged violations of the antitrust law by physicians and other health-care professionals, pharmaceutical companies, hospitals, and health plans. Markus joined the FTC in 1990. In January 1998, Markus left the FTC and was with the law firm of Collier, Shannon, Rill & Scott for a year and a half, where he worked on private antitrust litigation and counseling, and represented clients before the FTC and Department of Justice. Markus also has served as a Special Assistant United States Attorney, prosecuting criminal cases in the Eastern District of Virginia, and a resident advisor to the Indonesian Competition Commission in Jakarta. Prior to joining the FTC, Markus served as an officer in the United States Army. He is a graduate of the George Mason School of Law, has a Masters in Public Administration degree from Old Dominion University, and a Bachelor of Arts degree from the University of Virginia.

### **John J. Miles**

Jeff Miles, a principal with the Washington, D.C. office of Ober/Kaler, has limited his practice to antitrust law for over thirty years. The vast majority of his work has involved antitrust issues in the health care sector, including counseling, antitrust litigation, investigations by federal and state antitrust enforcement agencies, and writing and speaking on health care antitrust issues. Jeff holds B.S. and M.A. degrees in economics from Virginia Tech, and a J.D. degree from the Washington & Lee University, where he graduated *magna cum laude*, was elected to the Order of the Coif, and served as Managing Editor of the *Washington & Lee Law Review*. Immediately after law school, he practiced in Roanoke, Virginia, and then became Chief of the Virginia Attorney General's Antitrust Unit in Richmond. From there, he moved to the Antitrust Division of the United States Department of Justice in Washington, where he was a trial attorney specializing in health care antitrust issues. Jeff is a member of the American Health Lawyers Association and served on the board of directors of its predecessor organization, as well as the vice-chair and chair of its Antitrust Practice Group. He is also a member of the Antitrust Law Section of the American Bar Association, having served as vice-chair of its Health Law Committee. In addition, he is a member of the ABA's Health Law Section, the American Economic Association, and the Industrial Organization Society. He writes and updates *Health Care & Antitrust Law*, a treatise published by West Group, and has published several articles, such as "Observations and Lessons from the Evanston Northwestern Healthcare Decision" in the ABA Health Law Section's *Health Lawyer*. At present, he is rewriting and updating the ABA Antitrust Law Section's *Antitrust Health Care Handbook*.

### **Mark E. Miller**

Mark E. Miller, Ph.D., is the Executive Director of the Medicare Payment Advisory Commission (MedPAC), a nonpartisan federal agency that advises the U.S. Congress on Medicare payment, quality, and access issues. With more than 19 years of health policy experience, Dr. Miller has held several important policy, research, and management positions in health care. Dr. Miller served as Assistant Director of Health and Human Resources (HHR) at the Congressional Budget Office (CBO). Prior to working at the CBO, Dr. Miller was the Deputy Director of Health Plans at the Centers for Medicare and Medicaid Services (CMS, formerly the Health Care Financing Administration). Before he worked at CMS, Dr. Miller was the Health Financing

Branch Chief at the Office of Management and Budget (OMB). Prior to joining OMB, Dr. Miller was a Senior Research Associate at the Urban Institute. He earned a Ph.D. in public policy analysis from the State University of New York at Binghamton.

### **David Narrow**

David Narrow is an attorney in the Health Care Services and Products Division of the Federal Trade Commission's Bureau of Competition. He participated in the development and drafting of the 1993, 1994, and 1996 joint FTC/Department of Justice *Statements of Antitrust Enforcement Policy in Health Care*. He has participated in the preparation of numerous Commission and FTC staff advisory opinions and competition advocacy comments in the health care area, and he currently supervises the Health Care Division's staff advisory opinion function. He has helped prepare health care-related Congressional testimony and speeches offered by the Commission and its representatives, has contributed to the preparation of Commission appellate and *amicus curiae* briefs, and has spoken on antitrust issues in health care before industry and professional groups. Mr. Narrow has managed or worked on numerous law enforcement matters involving alleged anticompetitive conduct involving health care providers and provider organizations, as well as investigations of mergers and acquisitions involving hospitals, multi-hospital systems, non-hospital health care provider institutions, and various types of health plans. Prior to coming to the FTC in 1977, Mr. Narrow was an Assistant Attorney General in Pennsylvania, specializing in health care and health insurance regulatory matters, and later was a consultant to various state governments and private parties in the health care delivery, financing, and regulatory areas. Mr. Narrow received his law degree from the University of Pennsylvania, and he holds a Masters Degree in Public Health from the University of Michigan.

### **Eric T. Nielsen**

Eric Nielsen, M.D., is the Chief Medical Officer for The Greater Rochester Independent Practice Association (GRIPA). Dr. Nielsen attended medical school and completed his residency at the University of Rochester. He practiced internal medicine for 29 years. He is certified by the American Board of Internal Medicine and the Certifying Commission in Medical Management. Since assuming his present post at GRIPA in 2004, Dr. Nielsen has championed GRIPA's efforts toward achieving clinical integration as evidenced by GRIPA's favorable advisory opinion from the FTC in September 2007. Under his leadership, GRIPA has developed guidelines by and for its member physicians, an IT infrastructure for the sharing of clinical information between its members, and systems for monitoring the performance of members and the network. Dr. Nielsen has presented GRIPA's performance monitoring systems to the National Health Policy Forum and Medicare Payment Advisory Commission and has spoken to various groups throughout the country about GRIPA's Clinical Integration Program.

### **William D. Petasnick**

William D. Petasnick, FACHE, is President and CEO of Froedtert Memorial Lutheran Hospital and the Froedtert & Community Health System, Milwaukee, WI. Prior to joining Froedtert, he was deputy director and chief operating officer, University of Iowa Hospitals and Clinics; director of operations/chief operating officer, University of North Carolina Hospital; and senior associate director, University of Wisconsin Hospitals and Clinics. Mr. Petasnick is the 2008 Chair of the AHA Board of Trustees. Mr. Petasnick has served as a member of the governing council of the Section for Metropolitan Hospitals, an alternate state and section delegate, and most recently as a state delegate for RPB 5. He was the 2003 chair of the Council of Teaching Hospitals and is also a board member of the University HealthSystem Consortium. He has

chaired the board of the Wisconsin Hospital Association (WHA), served on its Council on Public Policy, and was awarded the WHA 2005 Distinguished Service Award. He is also a board member of the Greater Milwaukee Committee, Metropolitan Milwaukee Association of Commerce, the Blood Center of Southeastern Wisconsin, and the Downtown Rotary Club of Milwaukee. He also serves on the Board of Directors of the Milwaukee Health Care Partnership. In the Spring of 2007, he was given an honorary doctorate in Health Management from the University of Wisconsin-Milwaukee, and was the first such individual to receive this honor from the UW system. Mr. Petasnick is an adjunct associate professor of health management at the University of Iowa. He earned a B.A. from the University of Wisconsin-Madison and an M.H.A. from the University of Minnesota. Mr. Petasnick is a Fellow of the American College of Healthcare Executives.

### **Lee B. Sacks**

Lee Sacks, M.D., assumed the role of Executive Vice President and Chief Medical Officer of Advocate Health Care in 1997 with responsibilities for Clinical Outcomes, Information Systems, Managed Care Contracting, PHO Operations, Research, Medical Education, Strategic Planning, and Growth. Since 1995, he has served as the founding President of Advocate Physician Partners, the care management and managed care contracting organization that includes over 2,900 physicians and serves over 280,000 capitated and 700,000 PPO lives across Chicagoland. Prior to the merger that created Advocate in 1995, he served in a variety of executive roles at Lutheran General HealthSystem. He practiced family medicine for 13 years in suburban Chicago. Dr. Sacks earned a Bachelor of Science in chemical engineering at the University of Pennsylvania. He received his medical degree from the University Of Illinois College Of Medicine and completed a Family Practice residency at Lutheran General Hospital in Park Ridge, IL.

### **Toby G. Singer**

Toby Singer's practice focuses on antitrust counseling and litigation, with an emphasis in the health care industry. She chairs the Jones Day health section antitrust practice team. While serving as a deputy assistant director in the Bureau of Competition of the Federal Trade Commission, she supervised investigations and litigation of merger cases and other enforcement initiatives. Since joining Jones Day in 1989, her practice has continued to focus on mergers and acquisitions and other antitrust matters. She has handled numerous government investigations of mergers and acquisitions and conduct by competitors and has defended clients in private and government antitrust litigation. Toby chairs the Antitrust Practice Group of the American Health Lawyers Association, she is a past vice chair of the Health Care Committee of the American Bar Association Antitrust Law Section, and she is a member of the American Bar Association Health Law Section and the District of Columbia Bar Antitrust, Trade Regulation, and Consumer Affairs and Health Law Sections. She has spoken and published on antitrust subjects on numerous occasions, and she is on the advisory board of BNA's Health Law Reporter. In 2005 and 2006, she was named to the BTI "Client Service All-Star List," in 2007 and 2008, she was listed in Chambers USA as one of the leading lawyers in health care in Washington, D.C., and in 2006 and 2007 she was selected to be included in *The Best Lawyers in America* for the Washington, D.C. area.

### **Joshua H. Soven**

Joshua H. Soven is the Chief of the Litigation I Section of the Antitrust Division of the U.S. Department of Justice, where he supervises the Division's staff engaged in the review of mergers, acquisitions, and other conduct involving hospitals, physicians, and health insurance



companies. Before assuming his current position, Mr. Soven was an Attorney Advisor to the Honorable Deborah Platt Majoras, Chairman of the Federal Trade Commission. From 1998 to 2004, Mr. Soven was a trial attorney with the Networks & Technology Section of the Antitrust Division. Prior to joining the Division, Mr. Soven practiced antitrust law at Dickstein Shapiro LLP, in Washington, D.C. Mr. Soven began his career as a law clerk for the Honorable Robert G. Doumar, U.S. District Judge for the Eastern District of Virginia. Mr. Soven earned his J.D. from the University of Virginia, and his B.A. from the University of Pennsylvania.

### **David P. Wales, Jr.**

David P. Wales is Deputy Director of the Federal Trade Commission's Bureau of Competition. The Bureau of Competition's mission is to maintain competition by removing the obstacles that impede it. Pursuant to the Federal Trade Commission Act and the Clayton Act, both passed by Congress in 1914, the Bureau has authority to prevent business practices that restrain competition, including monopolistic practices, attempts to monopolize, conspiracies in restraint of trade and anticompetitive mergers and acquisitions. Prevention of anticompetitive practices allows for unfettered competition in the marketplace, allowing consumers to benefit from lower prices, improved products and services, and a broader array of choices. Mr. Wales is the Deputy Director responsible for the oversight of the Bureau's divisions that review both mergers and conduct matters in the health care industry. Prior to becoming Deputy Director of the Bureau of Competition, Mr. Wales was a partner in the antitrust practice group of Cadwalader, Wickersham & Taft LLP, where he handled antitrust litigation, mergers and acquisitions, joint ventures, distribution arrangements, competitor collaborations, and grand jury investigations. From 2001 to 2003, Mr. Wales served as Counsel to the Assistant Attorney General in the Antitrust Division of the U.S. Department of Justice, where he was involved with the full range of policy, investigative, and enforcement matters before the Division.

### **Elizabeth Wennar-Rosenberg**

As CEO of United Health Alliance, a rural physician-hospital organization, Elizabeth Wennar-Rosenberg, M.P.H., D.H.A., is responsible for external and internal affairs, strategic thinking/planning, and business development. She has also held positions with the GAO and HMOs. Dr. Wennar-Rosenberg is recognized as a health expert and has collaborated on legislative issues at the federal and state level. She has provided testimony before House and Senate Committees and has been a speaker for workshops and programs sponsored by the FBI and American Public Health Association. In addition to having a background in nursing, she holds a degree in Business Administration, a M.P.H. from Yale University's School of Medicine Department of Epidemiology and Public Health, and a doctorate from The Medical University of South Carolina (MUSC). Dr. Wennar-Rosenberg's primary interests are health care reform issues, fraud and compliance, aligning incentives (physicians and hospitals), strategic thinking for organizations, managing change, physician-driven model development, and entrepreneurial ventures.

### **Herbert S. Wong**

Herbert S. Wong, Ph.D., is a senior economist with the Agency for Healthcare Research and Quality, Center for Delivery, Organization and Markets. He has over 15 years experience working on the Healthcare Cost and Utilization Project (HCUP). In his past research, he has analyzed issues related to pricing and competition in the market for physician services; examined the factors affecting physician practice styles and resource utilization; explored the response of hospitals to global budgets; examined the interaction of hospital and physician costs; investigated the determinants of hospital payments and costs; explored service

utilization, enrollment, and competition in managed care organizations; and assessed selection bias in Medicare HMOs. Dr. Wong's current research includes explorations of the role of quality in the hospital services market and the impact of market forces on cost, access, and quality. Dr. Wong's work appears in journals such as *Health Services Research*, *Inquiry*, *Journal of Health Economics*, *Medical Care*, *Medical Care Research and Review*, *Southern Economic Journal*, and *Review of Industrial Organization*. Before coming to AHRQ, Dr. Wong taught courses in industrial organization, microeconomic theory, and statistics at Northwestern and Loyola Universities. He also worked as a research analyst at the American Medical Association, and served as a special assistant for health policy analysis at the Office of Management and Budget. Dr. Wong received his Ph.D. and M.A. degrees in economics from Northwestern University. He earned his B.A. in economics from Brandeis University.

### **Mark Wynn**

Mark Wynn is the Director of the Division of Payment Policy Demonstrations at the Centers for Medicare & Medicaid Services (CMS). His division is responsible for operating payment demonstrations in the fee-for-service Original Medicare Program. There are about fifteen demonstrations in operation or in development in the division, including demonstrations regarding pay for performance, gainsharing, disease management, competitive bidding, rural hospitals, and electronic health records. Mark was previously manager for several Medicare demonstrations, including bidding for durable medical equipment, the Premier Hospital Quality Incentive Demonstration, the development of the Ambulatory Patient Groups used for outpatient payments, and rural hospital demonstrations that led to the Critical Access Hospital Program. Mark has a Ph.D. in Political Science from Northwestern University and has been with Medicare since 1987.