



State of West Virginia
Office of the Attorney General

Patrick Morrissey
Attorney General

June 22, 2016

(304) 558-2021
Fax (304) 558-0140

James L. Pitrolo, Chairman
Sonia D. Chambers, Director
Marilyn G. White, Director
West Virginia Health Care Authority
100 Dee Drive
Charleston, WV 25311

Re: Application of Cabell Huntington Hospital for Approval of Cooperative Agreement
Cooperative Agreement No. 16-2/3-001
Letter of Concurrence

Dear Chairman Pitrolo and Board Directors Chambers and White,

You are receiving this letter pursuant to West Virginia Code § 16-29B-28(f)(3) which requires any approval by the West Virginia Health Care Authority ("Authority") of an Application for Approval of Cooperative Agreement to have the concurrence of the Attorney General.

Cabell Huntington Hospital, Inc. filed its Application for Approval on March 25, 2016, shortly after Senate Bill 597 was signed into law (now codified at W.Va. Code §§ 16-29B-26 and 28). In its Application, Cabell Huntington seeks approval to acquire St. Mary's Medical Center. After a review of the Authority's Decision, and review of the publicly available comments, the Attorney General concurs in the Decision issued by the Authority.

The Attorney General previously entered into an Assurance of Voluntary Compliance dated July 30, 2015, and as amended and restated November 4, 2015, with Cabell Huntington and St. Mary's. The terms of the Assurance of Voluntary Compliance appropriately restrict the conduct of the hospitals post-acquisition in a manner that protects consumers. As discussed in the Decision, the conduct of Cabell Huntington, post-acquisition, will be further regulated by the Authority and the Attorney General's office indefinitely under Senate Bill 597. As further described by the Authority, any disadvantage of this agreement will be more than outweighed by the advantages and benefits to the State and the healthcare of its citizens.

Sincerely,

A handwritten signature in black ink that reads "Patrick Morrissey".

Patrick Morrissey