

Anthony Del Rio Quoted on BrightSpring-Sevita Deal and Federal Antitrust Enforcement in Health Care

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Katten Partner Anthony Del Rio was quoted in a *Hospice News* article examining BrightSpring Health Services' sale of its ResCare Community Living business to Sevita and what the deal signals about the federal government's approach to large health care transactions.

The FTC initially delayed the transaction with an antitrust complaint but ultimately cleared it after Sevita agreed to divest 126 intermediate care facilities.

Anthony explained that the FTC's concerns centered on competitive overlap: "The basic concern is if a company gets too much control of a specific area of the market, they will be able to leverage that control in a way that is anti-competitive and will cause prices to increase." He noted that such concentration could also adversely impact wages by reducing competition for employees.

Anthony highlighted that the FTC's willingness to negotiate a resolution represents a shift under the current administration. "Under the Biden administration, the FTCs' general [modus operandi] was, 'We're going to challenge it, period, and we're not going to negotiate some resolution," Anthony said. "We are just generally opposed to big transactions of this nature, and so we're going to try to step in and stop it.' That's versus, 'Hey, we're going to step in and say we're concerned, but then if we can come to a resolution, we'll negotiate."

Looking ahead, Anthony observed that the current posture could make it easier for large health care acquisitions to proceed, though he cautioned: "Directionally, this suggests that you're going to have the opportunity to negotiate some solution to the problem. Ultimately, that's easier, but it doesn't mean it's a slam dunk."

"What the BrightSpring-Sevita Deal Means for Large Health Care Transactions," *Hospice News*, March 13, 2026,

CONTACTS

For more information, contact your Katten attorney or any of the following attorneys.



Anthony M. Del Rio
+1.312.902.5533
anthony.delrio@katten.com

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