

# Publications

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## The Antitrust Scrutiny Continues: FTC Launches New Healthcare Task Force

### Key Takeaways

- The FTC has launched a new Healthcare Task Force to coordinate enforcement across its bureaus and increase focus on the health care industry
- Expect heightened scrutiny of health care consolidation and business practices, with a particular focus on pricing, quality and anticompetitive conduct
- Increased collaboration between the FTC, DOJ and HHS may lead to more coordinated and expansive enforcement actions

In March 2026, FTC Chairman Andrew Ferguson released a memorandum directing leaders of the various bureaus of the FTC to form a “Healthcare Task Force.” The stated purpose of the Task Force is to unify the resources and knowledge of the different branches to better pursue the FTC’s initiatives in health care. Accordingly, the Task Force seeks to unify the focus of the Bureaus of Competition, Consumer Protection and Economics and the Office of Planning and Office of Technology to regulate health care as an industry.

While the memorandum is light on specifics, it does emphasize the goal of taking “a coherent approach” to enforcement in the health care industry. Chair Ferguson also aspires to expand the task force to include other agencies, mentioning specifically the Department of Health and Human Services and the Antitrust Division of the Department of Justice to “mak[e] America’s health care system work better.”

### Recent FTC Actions

The FTC listed many recent events as wins for the agency in the health care industry across different divisions of the FTC. These “wins” included settling enforcement actions which alleged anticompetitive conduct, blocking multiple large mergers, achieving favorable outcomes for the agency in suits alleging deceptive practices and issuing refund checks to consumers for deceptive marketing. The Task Force seeks to coordinate the actions of the Bureaus, presumably to ensure the FTC can bring more claims such as by including antitrust claims in what would otherwise be brought under § 5 of the FTC Act as a claim for unfair and deceptive trade practices.

### Related People

- Matthew C. Hans
- Arindam Kar
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### Related Capabilities

- Corporate & Transactional
- Health Care

## **What This Means to Health Care Organizations**

While the memorandum discusses prior actions by the FTC involving consumer protection and unfair business practices regulation as well as antitrust regulation, Chair Ferguson's memorandum emphasizes "consolidation and anticompetitive conduct" in the health care industry including "higher prices" and "decreased quality" as examples of antitrust issues.

Health care remains a target for antitrust enforcement, which makes it essential to partner with antitrust counsel with ongoing compliance and best strategies for new ventures. The Polsinelli Antitrust team is available to answer your questions and will be monitoring for further updates from the FTC.