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May 31, 2011

Via Online Submission:

Federal Trade Commission
Office of the Secretary
Room H-113 (Annex W)
600 Pennsylvania Avenue, NW
Washington, DC 20580

Via Online Submission:

Centers for Medicare & Medicaid Services
Department of Health and Human Services
Attention: CMS-1345-P
Mail Stop C4-26-05
7500 Security Boulevard
Baltimore, MD 21244-1850

Re: Accountable Care Organizations Enforcement Policy; FTC Matter No: V100017

To whom it may concern:

We are pleased to submit the attached comments on behalf of the American Bar Association Sections of Antitrust Law and Health Law on the Proposed Statement of Antitrust Enforcement Policy Regarding Accountable Care Organizations Participating in the Medicare Shared Savings Program, Matter V100017, issued by the U.S. Department of Justice and the Federal Trade Commission.

Please note that these views are being presented only on behalf of the Sections of Antitrust Law and Health Law. They have not been approved by the House of Delegates or the Board of Governors of the American Bar Association and should not be construed as representing the policy of the American Bar Association.

If you have any questions after reviewing this report, we would be happy to provide further comments.

Sincerely,



Allan Van Fleet
Chair, Section of Antitrust Law

Linda A. Baumann

Linda A. Baumann
Chair, Section of Health Law

Attachment