

XAVIER BECERRA
Attorney General

State of California
DEPARTMENT OF JUSTICE



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March 21, 2019

Sent by Internet and U.S. Mail

Hooper, Lundy & Bookman, P.C.
Craig J. Cannizzo
575 Market Street, Suite 2300
San Francisco, CA 94105

RE: The Hospital Committee for the Livermore-Pleasanton Areas' request for modification

Dear Mr. Cannizzo:

Pursuant to California Code of Regulations, title 11, section 999.5, subdivision (h), the Attorney General hereby conditionally approves The Hospital Committee for the Livermore-Pleasanton Areas' request to modify Condition IV(b) of the California Attorney General's conditional consent dated April 7, 2015. The Attorney General's conditional approval of the modification is subject to the attached conditions that are incorporated by reference herein.

Condition IV(b) of the Attorney General's conditional approval dated April 7, 2015 is hereby deleted.

The Attorney General's conditional approval dated April 7, 2015 remains in effect as issued except for the above deletion.

Sincerely,

[Original signed]

SCOTT CHAN
Deputy Attorney General

For XAVIER BECERRA
Attorney General

Conditions to The Hospital Committee for the Livermore-Pleasanton Areas' doing business as ValleyCare Health System, request for modification to Condition IV(b) of the California Attorney General's Conditions April 7, 2015

I.

These Conditions shall be legally binding on all the entities listed in Condition I of the Attorney General's conditional consent issued on April 7, 2015 to the proposed change of control and governance of The Hospital Committee for the Livermore-Pleasanton Areas, doing business as ValleyCare Health System, pursuant to the terms of the Affiliation Agreement dated September 26, 2014, by and between Stanford Hospital and Clinics, now called Stanford Health Care.

II.

The Patient Transfer Agreement effective April 1, 2018 between The Hospital Committee for the Livermore-Pleasanton Areas, and BHC Fremont Hospital, Inc.,-UHS corporation, shall be maintained to May 31, 2022, unless terminated for cause or by BHC Fremont Hospital, Inc.,-UHS corporation.

III.

The Patient Transfer Agreement effective August 15, 2018 between The Hospital Committee for the Livermore-Pleasanton Areas, and Seton Medical Center shall be maintained to May 31, 2022 unless terminated for cause or by Seton Medical Center.

IV.

The Hospital Committee for the Livermore-Pleasanton Areas, shall maintain its partnership through December 31, 2021, with Axis Community Health, at existing funding levels, to provide mental health services in the community through the financial support of a licensed therapist unless terminated for cause or by Axis Community Health.

V.

The Grant Agreement effective December 28, 2018, between The Hospital Committee for the Livermore-Pleasanton Areas, and the County of Alameda by and through Alameda County Behavioral Health Care Services, shall be maintained, at existing funding levels, to April 1, 2022.

VI.

The Hospital Committee for the Livermore-Pleasanton Areas, shall maintain its partnership through April 30, 2022, at existing funding levels, with the Senior Support Program of the TriValley, through the financial support for preventative health screenings and examinations for seniors in the community unless terminated for cause or by the Senior Support Program.

VII.

At the request of the Attorney General, all parties listed in Condition I shall provide such information as is reasonably necessary for the Attorney General to monitor compliance with these Conditions and the terms of the transaction as set forth herein. The Attorney General shall, at the request of a party and to the extent provided by law, keep confidential any information so produced to the extent that such information is a trade secret or is privileged under state or federal law, or if the private interest in maintaining confidentiality clearly outweighs the public interest in disclosure.

VIII.

All parties listed in Condition I are deemed to have explicitly and implicitly consented to the applicability and compliance with each and every Condition and to have waived any right to seek judicial relief with respect to each and every Condition.

The Attorney General reserves the right to enforce each and every Condition set forth herein to the fullest extent provided by law. In addition to any legal remedies the Attorney General may have, the Attorney General shall be entitled to specific performance, injunctive relief, and such other equitable remedies as a court may deem appropriate for breach of any of these Conditions. Pursuant to Government Code section 12598, the Attorney General's office shall also be entitled to recover its attorney fees and costs incurred in remedying each and every violation.