



PRESS RELEASE: July 30, 2024

Media Contact: Erica Allison, Formation PR + Brand
media@formationpr.com / 828-358-4867

Dogwood Health Trust Notifies N. C. Attorney General’s Office of HCA’s Potential Issues of Noncompliance with the Asset Purchase Agreement

Special Invitation for Media Partners: Dogwood will hold a media opportunity via [Zoom](#) on Tuesday, July 30 at 1 p.m. with Dr. Susan Mims, CEO of Dogwood Health Trust and Jerry Coyne with Affiliated Monitors to address any questions. Please email media@formationpr.com if you plan to attend.

Asheville, N.C. – On July 29, 2024, [Dogwood Health Trust](#) provided notice to the North Carolina Attorney General’s Office (AGO) stating that it plans to notify HCA of potential noncompliance with provisions of the Asset Purchase Agreement (APA). This letter is based on findings from the Independent Monitor’s review as outlined in Affiliated Monitors’ report to Dogwood Health Trust. Both the letter and compliance report are available on [Dogwood’s website](#).

“This past year, we heard requests from both the Attorney General and the communities we serve for more education and transparency regarding Dogwood’s compliance oversight of HCA,” said Dr. Susan Mims, CEO of Dogwood Health Trust. “We listened, which is why we are sharing this letter and report. Our hope is that sharing this letter and report will help educate the public on our compliance oversight work for the 2023 reporting year and help Affiliated Monitors engage the public for the upcoming 2024 reporting year.”

The APA requires that each year HCA provides an Annual Report for the preceding year (January 1- December 31, 2023), at the end of April. HCA provides its Annual Report to Dogwood Health Trust, the Independent Monitor, the AGO and the Mission Hospital Advisory Board. From May to July, the Independent Monitor reviews the report and accompanying data to monitor and evaluate HCA’s compliance for the preceding year and sends its findings to Dogwood. Ninety days after receiving the Annual Report from HCA, Dogwood must provide notice to the AGO as to whether they intend to notify HCA of any potential noncompliance.

After reviewing HCA’s Annual Report carefully and with advice from the Independent Monitor, Dogwood intends to notify HCA of three instances of potential noncompliance. These concerns

include the provision of Emergency and Trauma Services and Oncology Services at Mission Health; failure to remain “enrolled and in good standing” in Medicare and Medicaid; and issues with Uninsured and Charity Care policies. Following the process set forth in the APA, in its role as Seller Representative, Dogwood has notified the AGO and intends to officially notify HCA of potential noncompliance.

“We hope that our report will inform the communities, provide a greater understanding of the monitoring process, and serve as a starting point for further productive discussions to improve the quality of healthcare in Western North Carolina,” said Gerald Coyne of Affiliated Monitors, Inc.

Thirty days after receipt of Dogwood’s letter, the Attorney General has to inform Dogwood if it disagrees with its findings. By October 27, 180 days after receipt of HCA’s Annual Report, Dogwood or the AGO is required to provide notice to HCA of any potential noncompliance. Following delivery of notice to HCA, Dogwood will engage HCA in discussions to address the identified compliance issues.

In early 2025, Dogwood will share a summary of how issues of noncompliance were addressed and/or resolved.

About Dogwood Health Trust

Dogwood Health Trust is a private foundation based in Asheville, North Carolina with the sole purpose of dramatically improving the health and wellbeing of all people and communities of 18 counties and the Qualla Boundary in Western North Carolina. Dogwood Health Trust focuses on innovative and equitable ways to address the many factors that contribute to overall health and wellbeing, with a focus on housing, education, economic opportunity, and health and wellness. Dogwood Health Trust works to create a Western North Carolina where every generation can live, learn, earn and thrive, with dignity and opportunity for all, no exceptions. To learn more, please visit www.dht.org.

###