



July 19, 2023

Llogan R. Walters
Assistant Attorney General
North Carolina Department of Justice
P.O. Box 629
Raleigh, NC 27602-0629

Dear Assistant Attorney General Walters:

I write in response to your June 20, 2023 letter regarding oncology services at the Mission Health Cancer Center (“Cancer Center”). Mission Health System (“Mission”) remains committed to providing quality oncology services to cancer patients in Western North Carolina, and there are no plans to reduce such services at the Cancer Center nor to close the Mission Medical Oncology practice. Mission remains as committed as ever to promoting access to crucial healthcare services for the citizens of Western North Carolina. To be clear, Mission will continue to honor its commitments in the Purchase Agreement including, but not limited to, the provision of oncology services.

Oncology Staffing and Demand for Services

As you are aware, Mission continues to work to recruit additional employed medical oncologists. Nonetheless, even with recent physician departures from the Mission Medical Oncology practice, as of June 2023, Mission has 39 oncology physicians on its medical staff – there are many medical oncologists who provide services at Mission who are not formally employed. Additionally, Mission has 33 credentialed mid-level oncology providers on staff.

Mission Hospital Credentialed Oncology Providers		
	January 2019	June 2023
Oncology physicians	40	39
Credentialed mid-level oncology providers	28	33
TOTAL	68	72

We would note further that Section 7.13(a) of the Purchase Agreement does not require that Mission employ a certain number of oncologists or mid-level oncology providers, but instead focuses on continuing to make oncology services available to the community, as Mission has done and will continue to do.

Specifically, for the residents of Western North Carolina who require oncology services, Mission has provided, and remains committed to providing, excellent care. The chart below demonstrates a breakdown of Mission physician medical staff members in oncology subspecialties in January 2019 when HCA acquired Mission and again as of last month. As you can see, Mission’s medical staff has remained consistent across oncology subspecialties, further demonstrating Mission’s ability to provide the services required by Section 7.13(a) of the Purchase Agreement.

Mission Hospital Credentialed Oncology Physicians by Subspecialty		
	January 2019	June 2023
Gynecologic Oncology	6	4
Hematology/Oncology	21	17
Orthopedic Oncology	1	1
Pediatric Hematology/Oncology	3	3
Radiation Oncology	8	11
Surgical Oncology	1	3
TOTAL	40	39

Recruitment and Physician Satisfaction

Your letter acknowledged Mission’s robust efforts in recruiting oncologists, and these efforts remain ongoing. I will not re-state those efforts here, but incorporate by reference the relevant information in my May 22, 2023 letter. Despite our efforts, hiring is extremely challenging, as discussed in that letter. There is a nationwide shortage of oncologists. The American Society of Clinical Oncology (ASCO) projects an increase in demand for cancer treatment by 40% from 2019 to 2025 with the shortage of oncologists reaching more than 2,200 nationwide.¹ Dr. Stephen Grubbs, ASCO’s Vice President of Care Delivery, warns that “[o]ncology practices are experiencing significant challenges recruiting staff across the spectrum of the cancer care delivery team.”² Despite these challenges, since January 2019 Mission has maintained consistent medical staff membership across oncology subspecialties.

HCA remains firmly committed to supporting physicians and working hard to recruit and retain highly skilled medical professionals for the Western North Carolina community. We believe many physicians at Mission would tell you this is the case. As Dr. Ansley Miller, Chief of Staff at Mission Health, wrote in a May 2023 op-ed, she and many other Mission physicians chose to stay at Mission following HCA’s acquisition for a variety of important reasons.³ Among the many reasons she cites for her decision are Mission’s “strong, caring and

¹ Finnegan, Joanne. “Another physician shortage: oncologist,” *Fierce Healthcare*, October 30, 2019, <https://www.fiercehealthcare.com/practices/another-physician-shortage-oncologists#:~:text=The%20demand%20for%20cancer%20treatment,than%202%2C200%20oncologists%20by%202025.&text=%E2%80%9CCancer%20is%20one%20of%20the,issues%20that%20women%20face%20nationally>.

² Southall, Jennifer. “Oncology practices struggle ‘to run at all levels’ amid workforce shortage,” *Healio*, Feb. 21, 2023, <https://www.healio.com/news/hematology-oncology/20230220/oncology-practices-struggle-to-run-at-all-levels-amid-workforce-shortage>.

³ Dr. Miller, Ansley. “Opinion: Proud to work as a physician at Mission Hospital and HCA Healthcare,” *Citizen Times*, May 7, 2023, <https://www.citizen-times.com/story/opinion/2023/05/07/opinion-proud-to-by-physician-at-mission-hospital-and-hca-healthcare/70169224007/>

committed leadership team,” HCA’s revitalization of Mission hospital and its “invest[ment] in new medical equipment.” To the extent you may be suggesting that the practice now known as Messino “left” Mission because of HCA’s purchase, that suggestion would be inaccurate. Mission never employed those physicians. In fact, Mission did not employ any oncologists when HCA purchased Mission. Instead, before HCA acquired Mission, the group now known as Messino had a professional services agreement with Mission. Those physicians planned to discontinue that arrangement with Mission *before* the HCA acquisition. HCA, in fact, worked to maintain the group’s affiliation with Mission for an additional year after the acquisition.

Mission will continue to carry out its robust recruitment efforts to fill oncology positions in the market and would welcome a broader discussion with your office about how we might work together to ensure that physicians desire to practice in Western North Carolina and enjoy all the benefits that come with practicing in this great region. We hope we can engage in a productive dialog with your office regarding these matters.

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This letter does not specifically address each information request in your June 20, 2023 letter. We are continuing to gather information responsive to your requests and will provide additional information in the coming days. In addition, some of the information requests not addressed in this response seek data that Mission does not keep in the ordinary course of business. In the interest of maintaining our open dialogue, nonetheless, we are working diligently to gather available, responsive data and will provide a supplemental response as soon as practicable.

Please know that Mission remains committed to providing top-tier oncology services to the residents of Western North Carolina. We are very proud of the dedicated professionals that work with us at Mission. I also would like to reiterate here my offer to you to come and visit the Mission campus and see firsthand for yourself what we are doing to provide high-quality healthcare to the residents of Western North Carolina including through the Mission Health Cancer Center and beyond. I also still welcome a meeting with you to discuss any ongoing concerns, and we remain committed to working collaboratively with your office in the future.

Sincerely yours,



Greg Lowe
President, North Carolina Division