

REFERENCE RELATING TO THE COMPLETED ACQUISITION BY UNIVERSAL HEALTH SERVICES, INC. (THROUGH CYGNET HEALTH CARE LIMITED) OF THE CAMBIAN ADULT SERVICES BUSINESS

Notice of acceptance of final undertakings pursuant to Sections 41 and 82 of and Schedule 10 to the Enterprise Act 2002

1. On 28 December 2016, Universal Health Services, Inc. (UHS) through Cygnet Health Care Limited (Cygnet) acquired from Cambian Group and its subsidiary Cambian Educational Services, the entire issued share capital of Care Aspirations Developments Limited, Cambian Healthcare Limited and Cambian Care Services Limited and their respective subsidiaries (together known as Cambian Adult Services (CAS)) (the Merger).
2. On 3 May 2017, the Competition and Markets Authority (CMA) referred the Merger for further investigation and report by a group of CMA panel members under section 22(1) of the Enterprise Act 2002 (the Act).
3. On 16 October 2017, the CMA published its final report, concluding that the Merger may be expected to result in a substantial lessening of competition (SLC) within the market for the provision of hospital-based inpatient rehabilitation services (rehabilitation services) for male long-term mental health (LTMH) patients in the East Midlands.
4. On 17 October 2017, the CMA made an interim order pursuant to section 81 of the Act for the purposes of preventing pre-emptive action prior to the reference being finally determined and issued a direction for the appointment of a monitoring trustee to monitor compliance.

5. On 24 November 2017 the CMA published a notice of proposal to accept final undertakings and a set of draft final undertakings on its website. It received no representations.
6. On 12 December 2017 UHS, Cygnet and CAS gave the CMA final undertakings giving effect to the CMA's decisions as published in its final report and which are in the same terms as those consulted on.
7. The CMA, under section 82 of the Act, now accepts those final undertakings as given by UHS, Cygnet and CAS. A copy of the final undertakings is attached. The reference has now been finally determined and the final undertakings come into force accordingly.
8. The final undertakings may be varied, superseded or released by the CMA under section 82(2) of the Act.
9. This notice and a non-confidential version of the final undertakings will be published on the CMA website. The CMA has excluded from the non-confidential version of the final undertakings information which it considers should be excluded having regard to the considerations set out in section 244 of the Act. These exclusions are indicated by [✂].

Signed by authority of the CMA

Simon Polito
Inquiry Chair
12 December 2017