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September 6, 2018

Honorable Judge Marvin Isgur  
Bankruptcy Court Judge  
US Court House, 4th Floor  
515 Rusk Street  
Houston, TX 77002

RE: Case 18-33836 (MI) of the bankruptcy of Neighbors Legacy Holdings

Dear Judge Isgur:

The American Academy of Emergency Medicine believes that all individuals should have unencumbered access to expert emergency care when they believe they may have an emergency condition. We believe an expert in emergency care is a physician that is certified by the American Board of Emergency Medicine or the American Osteopathic Board of Emergency Medicine. To be certified by these bodies, one must complete an emergency medicine residency consisting of three or more years of training after medical school.

Free standing emergency centers are a means of providing access to an emergency medicine specialist. The Academy believes that emergency physicians are best able to make decisions about the operations of such centers as they are most capable of understanding the needs of emergency patients and what it takes to satisfy those needs and insure safe treatment. Physicians are duty-bound to make decisions that are in the best interests of their patients despite any personal or financial sacrifice that may entail.

AAEM believes that corporate entities (that is, companies managed or operated by non-physicians), are less able to appreciate these needs; accordingly, they may make decisions that make good business sense but sacrifice the needs and safety of patients. Possible non-medical decisions that can affect the quality of care delivered could include equipment purchases or leases, lab panels available and transfer agreements for those patients needing hospital admission. Some free standing emergency centers will enlist the services of non-emergency medicine trained physicians as a cost cutting measure or because of lack of available qualified emergency physicians.

We believe that free standing emergency centers can play a vital role in the delivery of emergency treatment to communities. Those communities are best served by free standing emergency centers that are operated by emergency physicians. The Academy feels that judicial decisions should take into account this discussion when those decisions may result in free standing emergency centers being owned and operated by corporate entities.

Respectfully submitted

David A. Farcy, MD FAAEM FCCM  
President, AAEM

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