

United States Senate
WASHINGTON, DC 20510

October 13, 2022

Candice L. Saunders
President & CEO
Wellstar Health System

Dear Ms. Saunders,

In recent weeks, I have heard reports that Atlanta Medical Center (AMC) employees are subject to employment provisions, including non-compete provisions, that could prevent them continuing to serve the Atlanta community. To the extent that such provisions exist and limit the ability of AMC employees to work in other Atlanta area hospitals, I write to urge Wellstar to preempt any confusion and publicly commit to not enforce any contract provisions that would prevent AMC employees from choosing to working in other Atlanta area hospitals.

As I expressed in my September 2, 2022 letter to you, I am deeply concerned about the significant hole that AMC's closure will leave in the community. While I understand Wellstar's interest in retaining its employees due to the labor shortages that have hit nearly every hospital in the country, I urge you to consider putting the needs of the Atlanta community first. According to Wellstar's own 2022 Community Health Needs Assessment, AMC and AMC South together made up the largest licensed-bed hospital in Georgia. In the last six months, Wellstar has decided to shut the doors to its only two Atlanta emergency departments, removing 762 beds from the community.¹ Now, other Atlanta area hospitals, like Grady Memorial Hospital or Emory University Hospital Midtown that are already under-resourced, will experience a greater strain on their workforce because of Wellstar's abrupt decision to close AMC. Preventing qualified physicians from working in other Atlanta area hospitals would add insult to injury and make an already-dire situation worse, putting bottom lines ahead of Georgians' lives.

When physicians joined the AMC team, they also expected to be able to serve the Atlanta population indefinitely. Members of the Atlanta community have fostered critical and valuable relationships with AMC physicians over the last six years. As the Senior Pastor at Ebenezer Baptist Church, which is only a few blocks away from AMC, I have counseled many of my parishioners as they sought care at your facility, and I have seen firsthand the incredible care, dedication, and expertise these hardworking physicians have invested in this community and their patients. I worry for these physicians, their patients, and other Atlantans when Wellstar shuts the doors of AMC.

As you know, my staff has made multiple inquiries, on September 16 and September 29, to Wellstar regarding the potential enforcement of non-compete provisions in contracts with AMC employees. To date, Wellstar has not provided written answers to these inquiries. During our conversation on September 28, I also asked you about the status of these non-compete provisions and also did not receive a clear response.

¹ <https://www.wellstar.org/community/community-health-needs-assessment>

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Wellstar's silence on this issue has led to considerable confusion and turmoil within the Atlanta community. Therefore, I request that you immediately make a public statement confirming to AMC employees that you will not enforce any provisions in their employment contracts, including non-compete provisions, that would prevent them from working in other Atlanta area hospitals. AMC employees deserve clarity and certainty about their employment options, as do the Atlanta area hospitals who may wish to employ them.

To the extent that these employment restrictions exist, Wellstar's decision to enforce them after it closes AMC would be an amoral outrage and unforgettable insult to the Atlanta community. I urge Wellstar to immediately clarify the existence of these provisions and to publicly commit to not enforce such provisions in any contracts with AMC employees. In making these decisions, Wellstar must consider whether such contractual agreements benefit the patients that you claim to serve – or Wellstar's bottom line.

Sincerely,



Reverend Raphael Warnock
United States Senator