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Luther advises hospital Delmenhorst and City of Delmenhorst in holding with hospital trust St. Josef

Municipality and church establish hospital holding // New group with 410 beds and over 700 full-time staff

Hanover – In January 2016, the City of Delmenhorst and the St. Josef Stiftung Delmenhorst have merged both their hospitals into a municipal-ecclesiastical holding and have established the Josef-Hospital Delmenhorst gGmbH. Luther has led the two-year process for the Klinikum Delmenhorst and the City of Delmenhorst.

The process to create a hospital holding, operated by the municipality and the church, at the Delmenhorst location has been completed successfully after two years. Prior to these proceedings, almost ten years of intensive discussions and merger considerations took place deliberating the future of the hospital landscape in Delmenhorst. The current partner of the Klinikum Delmenhorst gGmbH, the City of Delmenhorst, has finally found a strategic partner with the Catholic St. Joseph foundation, thus ensuring hospital care in Delmenhorst and region.

The Klinikum Delmenhorst (in future JHD Deichhorst gGmbH) and the Stiftungskrankenhaus JHD Mitte gGmbH have now been merged into the Josef-Hospital Delmenhorst gGmbH. Delmenhorst is therefore one of the few municipalities in Germany with a successful merger between municipality and church. The process to establish the holding had complex legal and tax implications due to the two different bodies.

Luther law firm brings extensive nationwide experience in hospital consulting and has assisted the municipal partner with comprehensive legal advice and with the structure and implementation of this holding structure with its special challenges from a regulatory and non-profit law perspective.

In the future, the Josef-Hospital Delmenhorst gGmbH and its hospital operating companies will ensure hospital care in Delmenhorst with 410 beds and over 700 full-time staff. The process was supported by the Ministry for Social Affairs, Health and Equality of Lower Saxony and the foundation supervisory authority of the church authority of the diocese of Münster [Stiftungsaufsicht des Bischöflich Münsterschen Offizialats].

"The merger of municipal and ecclesiastic hospital organisations poses particular challenges for the process and the participants. Based on close cooperation with the municipal bodies and the board of trustees, we were successful in creating the hospital holding and a strong network with a comprehensive range of medical services in Delmenhorst." explains Dr. Oliver Kairies, Lead Partner with Luther Rechtsanwalts-gesellschaft.

For the Klinikum Delmenhorst and the City of Delmenhorst

Luther, Mergers & Acquisitions/Health care and medical: Dr Oliver Kairies (Lead Partner), Dr Hendrik Sehy, Dr Daniel Schubmann (all Hanover)

Luther, Employment Law: Sebastian Fedder (Partner, Hamburg)

Luther, Tax Law: Peter Fabry (Partner), Karl Ober, LL.M. (both Munich)

Luther, Antitrust Law: Dr Helmut Janssen, LL.M. (Partner, Dusseldorf/Brussels)

Brief Profile Luther

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Luther works closely with other commercial law firms in all the prevailing jurisdictions worldwide. On the Continent, Luther is part of a group of independent

leading law firms who have worked together for many years on joint cross-border projects.

Luther Rechtsanwaltsgesellschaft mbH is a law firm with a business approach: our innovative awareness aspires us to provide our clients with customised legal advice that addresses individual needs and delivers the greatest possible economic benefit. Our lawyers and tax advisors have a solid understanding of interdisciplinary matters and a wealth of experience in collaborating on complex tasks. Further information is available at: www.luther-lawfirm.com

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