DaVita 4th Quarter 2009 Results

DENVER, Feb 10, 2010 (BUSINESS WIRE) -- DaVita Inc. (NYSE: DVA) today announced results for the quarter and year ended December 31, 2009. Net income attributable to DaVita Inc. for the quarter and year ended December 31, 2009 was \$109.7 million and \$422.7 million, or \$1.06 per share and \$4.06 per share, respectively. This compares to net income attributable to DaVita Inc. for the quarter and year ended December 31, 2008 of \$98.4 million and \$374.2 million, or \$0.94 per share and \$3.53 per share, respectively.

Financial and operating highlights include:

- Cash Flow: For the year ended December 31, 2009 operating cash flow was \$667 million and free cash flow was \$485 million. For the three months ended December 31, 2009 operating cash flow was \$153 million and free cash flow was \$97 million.
- **Operating Income:** Operating income for the quarter and year ended December 31, 2009 was \$239 million and \$940 million, respectively, as compared to \$223 million and \$869 million, respectively, for the same periods of 2008.
- Volume: Total treatments for the fourth quarter of 2009 were 4,360,638, or 55,198 treatments per day, representing a per day increase of 5.2% over the fourth quarter of 2008. Non-acquired treatment growth in the quarter was 4.8% over the prior year's fourth quarter.
- Effective Tax Rate: Our effective tax rate was 35.5% and 36.7% for the quarter and year ended December 31, 2009, respectively. This effective tax rate is impacted by the amount of third party owners' income attributable to non-tax paying entities. The effective tax rate attributable to DaVita Inc. was 38.5% and 39.7% for the quarter and year ended December 31, 2009, respectively, which was within the range of our previously stated guidance. Our effective tax rate for 2010 is projected to be in the range of 36.5% to 37.5% and our 2010 effective tax rate attributable to DaVita Inc. is projected to be in a range of 39.5% to 40.5%.
- **Share Repurchases:** During the fourth quarter of 2009, we repurchased a total of 1,049,435 shares of our common stock for \$59.1 million, or an average price of \$56.32 per share. For the year ended December 31, 2009, we repurchased a total of 2,902,619 shares of our common stock for \$153.5 million, or an average price of \$52.88 per share. All of these share repurchases were consummated pursuant to previously announced authorizations by our Board of Directors. On November 3, 2009, we announced that our Board of Directors authorized an additional \$500 million for share repurchases. To date, we have not repurchased any shares of our common stock under this authorization. As a result of these transactions, our total authorization for share repurchases is currently \$500 million.
- **Center Activity:** As of December 31, 2009, we operated or provided administrative services at 1,530 outpatient dialysis centers serving approximately 118,000 patients, of which 1,498 centers are consolidated in our financial statements. During the fourth quarter of 2009, we acquired seven centers, opened 17 new centers, merged five centers, and sold one center.

Outlook

Currently we still expect our operating income for 2010 to be in the range of \$950 million to \$1,020 million and we also expect our operating cash flows for 2010 to be in the range of \$675 million to \$725 million. These projections and the underlying assumptions involve significant risks and uncertainties, including those described below, and actual results may vary significantly from these current projections.

DaVita will be holding a conference call to discuss its results for the fourth quarter ended December 31, 2009 on February 11, 2010 at 9:30 a.m. Eastern Time. The dial in number is (800) 399-4406. A replay of the conference call will be available on DaVita's official web page, <u>http://www.davita.com</u>, for the following 30 days.

This release contains forward-looking statements, including statements related to our 2010 operating income, operating cash flow, our expected effective tax rate and the expected effective tax rate attributable to DaVita Inc. Factors which could impact future results include the uncertainties associated with governmental regulations, general economic and other market conditions, competition, accounting estimates, the variability of our cash flows and the risk factors set forth in our SEC filings, including our Form 10-K for the year ended December 31, 2008 and subsequent quarterly reports on Form 10-Q.The forwardlooking statements should be considered in light of these risks and uncertainties.

These risks and uncertainties include those relating to:

- the concentration of profits generated from commercial payor plans,
- continued downward pressure on average realized payment rates from commercial payors, which may result in the loss of revenue or patients,
- a reduction in the number of patients under higher-paying commercial plans,
- a reduction in government payment rates or changes to the structure of payments under the Medicare ESRD program or other government based programs, including, for example the implementation of a bundled payment rate system which will lower reimbursement for services we provide to Medicare patients,
- changes in pharmaceutical or anemia management practice patterns, payment policies, or pharmaceutical pricing,

- our ability to maintain contracts with physician medical directors,
- legal compliance risks, including our continued compliance with complex government regulations, and
- the resolution of ongoing investigations by various federal and state governmental agencies.

We undertake no obligation to update or revise any forward-looking statements, whether as a result of changes in underlying factors, new information, future events or otherwise.

This release contains non-GAAP financial measures. For reconciliations of these non-GAAP financial measures to their most comparable measure calculated and presented in accordance with GAAP, see the attached reconciliation schedules.

DAVITA INC.

CONSOLIDATED STATEMENTS OF INCOME

(unaudited)

(dollars in thousands, except per share data)

	Three months ended December 31,			Year ended December 31,				
		2009		2008		2009		2008
Net operating revenues	\$	1,568,204	\$	1,461,010	\$	6,108,800	\$	5,660,173
Operating expenses and charges:								
Patient care costs		1,095,046		1,011,344		4,248,668		3,920,487
General and administrative		137,161		133,659		531,531		508,240
Depreciation and amortization		56,865		56,244		228,986		216,917
Provision for uncollectible accounts		41,796		36,796		161,786		146,229
Equity investment income		(1,376)		(142)		(2,442)		(796)
Total operating expenses and charges		1,329,492		1,237,901		5,168,529		4,791,077
Operating income		238,712		223,109		940,271		869,096
Debt expense		(44,831)		(55,825)		(185,755)		(224,716)
Other income		682		2,080		3,708		12,411
Income before income taxes		194,563		169,364		758,224		656,791
Income tax expense		68,980		59,618		278,465		235,471
Net income		125,583		109,746		479,759		421,320
Less: Net income attributable to noncontrolling interests		(15,859)		(11,381)		(57,075)		(47,160)
Net income attributable to DaVita Inc.	\$	109,724	\$	98,365	\$	422,684	\$	374,160
Earnings per share:								
Basic earnings per share attributable to DaVita Inc.	\$	1.07	\$	0.95	\$	4.08	\$	3.56
Diluted earnings per share attributable to DaVita Inc.	\$	1.06	\$	0.94	\$	4.06	\$	3.53
Weighted average shares for earnings per share:								
Basic		102,711,126	103,897,138		103,603,885		105,149,448	
Diluted	103,735,571		104,530,333		104,167,685		105,939,725	

DAVITA INC.

CONSOLIDATED STATEMENTS OF CASH FLOWS

(unaudited)

(dollars in thousands)

	Year ended December 31,			
		2009		2008
Cash flows from operating activities:				
Net income	\$	479,759	\$	421,320
Adjustments to reconcile net income to cash provided by operating activities:				
Depreciation and amortization		228,986		216,917
Stock-based compensation expense		44,422		41,235
Tax benefits from stock award exercises		18,241		13,988
Excess tax benefits from stock award exercises		(6,950)		(8,013)
Deferred income taxes		50,869		94,912
Equity investment income, net		(204)		(796)
Loss on disposal of assets		9,761		15,216

Non-cash debt and non-cash rent charges	11,184	11,794
Changes in operating assets and liabilities, other than from acquisitions and divestitures:		
Accounts receivable	(32,313)	(149,939)
Inventories	15,115	(2,715)
Other receivables and other current assets	(35,104)	(40,960)
Other long-term assets	7,288	(11,929)
Accounts payable	(104,879)	57,422
Accrued compensation and benefits	(9,138)	(31,602)
Other current liabilities	(43,543)	8,871
Income taxes	44,578	(30,087)
Other long-term liabilities	(11,362)	8,067
Net cash provided by operating activities	666,710	613,701
Cash flows from investing activities:		
Additions of property and equipment	(274,605)	(317,962)
Acquisitions	(87,617)	(101,959)
Proceeds from asset sales	7,697	530
Purchase of investments available for sale	(2,062)	(2,009)
Purchase of investments held-to-maturity	(22,664)	(21,048)
Proceeds from sale of investments available for sale	16,693	21,291
Proceeds from maturities of investments held-to-maturity	16,380	21,355
Purchase of equity investments	(2,100)	-
Distributions received on equity investments	2,547	908
Purchase of intangible assets	(329)	(65)
Other investment activity	-	1,220
Net cash used in investing activities	(346,060)	(397,739)
Cash flows from financing activities:		
Borrowings	18,767,592	17,089,018
Payments on long-term debt	(18,828,824)	(17,102,569)
Deferred financing costs	(42)	(130)
Purchase of treasury stock	(153,495)	(232,715)
Excess tax benefits from stock award exercises	6,950	8,013
Stock award exercises and other share issuances, net	67,908	40,247
Distributions to noncontrolling interests	(67,748)	(59,357)
Contributions from noncontrolling interests	13,071	19,074
Proceeds from sales of additional noncontrolling interests	9,375	10,701
Purchases from noncontrolling interests	(6,859)	(24,409)
Net cash used in financing activities	(192,072)	(252,127)
Net increase (decrease) in cash and cash equivalents	128,578	(36,165)
Cash and cash equivalents at beginning of period	410,881	447,046
Cash and cash equivalents at end of period	\$ 539,459	\$ 410,881
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DAVITA INC.

CONSOLIDATED BALANCE SHEETS

(unaudited)

(dollars in thousands, except per share data)

	December 31, 2009	December 31, 2008
ASSETS	2000	2000
Cash and cash equivalents	\$ 539,459	\$ 410,881
Short-term investments	26,475	35,532
Accounts receivable, less allowance of \$229,317 and \$211,222	1,105,903	1,075,457
Inventories	70,041	84,174
Other receivables	263,456	239,165
Other current assets	40,234	33,761
Income tax receivable	-	32,130
Deferred income taxes	256,953	217,196
Total current assets	2,302,521	2,128,296
Property and equipment, net	1,104,925	1,048,075
Amortizable intangibles, net	136,732	160,521
Equity investments	22,631	19,274
Long-term investments	7,616	5,656

Goodwill 3,951,196 3,876,931 \$7,558,236 \$7,286,083 LIABILITIES AND EQUITY \$282,883 Accounts payable \$176,657 \$282,883 Other liabilities 461,092 495,239 Accrued compensation and benefits 286,121 312,216 Current portion of long-term debt 100,007 7,2725 Income taxes payable 23,064 - Total current liabilities 1,046,941 1,163,063 Long-term debt 3,532,217 3,622,421 Other long-term liabilities 87,692 101,442 Alliance and product supply agreement, net 30,647 35,977 Deferred income taxes 334,855 244,884 Total liabilities 5,032,352 5,167,787 Commitments and contingencies 331,725 291,397 Equity: Preferred stock (\$0.001 par value, 5,000,000 shares authorized; none issued) 2 Common stock (\$0.001 par value, 450,000,000 shares authorized; none issued) 135 135 Additional paid-in capital 621,685 584,358 8	Other long-term assets	32,615	47,330
LLABILITIES AND EQUITY Accounts payable \$ 176,657 \$ 282,883 Other liabilities 461,092 495,239 Accrued compensation and benefits 286,121 312,216 Current portion of long-term debt 100,007 72,725 Income taxes payable 23,064 - Total current liabilities 1,046,941 1,163,063 Long-term debt 3,532,217 3,622,421 Other long-term liabilities 87,692 101,442 Alliance and product supply agreement, net 30,647 35,977 Deferred income taxes 334,855 244,884 Total liulities 5,032,352 5,167,787 Commitments and contingencies 331,725 291,397 Equity: Preferred stock (\$0.001 par value, 5,000,000 shares authorized; none issued) Common stock (\$0.001 par value, 50,000,000 shares authorized; 134,862,283 shares 135 135 Issued; 103,062,698 and 103,753,673 shares outstanding) 135 135 Additional paid-in capital 621,685 584,358 Retained earnings 2,312,134	Goodwill	3,951,196	3,876,931
Accounts payable \$ 176,657 \$ 282,883 Other liabilities 461,092 495,239 Accrued compensation and benefits 286,121 312,216 Current portion of long-term debt 100,007 72,725 Income taxes payable 23,064 - Total current liabilities 1,046,941 1,163,063 Long-term debt 3,532,217 3,622,421 Other long-term liabilities 87,692 101,442 Alliance and product supply agreement, net 30,647 35,977 Deferred income taxes 334,855 244,884 Total libilities 5,032,522 5,167,787 Commitments and contingencies 3331,725 291,397 Equity: Preferred stock (\$0.001 par value, 5,000,000 shares authorized; none issued) 20,062,698 and 103,753,673 shares outstanding) 135 135 Additional paid-in capital 621,685 584,358 843,558 143,359 135 Additional paid-in capital 621,685 584,358 843,558 143,359 135 Additional paid-in capital 621,685 584,358 843,569 144,339 1		\$ 7,558,236	\$ 7,286,083
Other liabilities 461,092 495,239 Accrued compensation and benefits 286,121 312,216 Current portion of long-term debt 100,007 72,725 Income taxes payable 23,064 - Total current liabilities 1,046,941 1,163,063 Long-term debt 3,532,217 3,622,421 Other liabilities 87,692 101,442 Alliance and product supply agreement, net 30,647 35,977 Deferred income taxes 334,855 244,884 Total liabilities 5,032,352 5,167,787 Commitments and contingencies 331,725 291,397 Equity: Preferred stock (\$0.001 par value, 5,000,000 shares authorized; none issued) Common stock (\$0.001 par value, 450,000,000 shares authorized; 134,862,283 Shares issued; 103,062,698 and 103,753,673 shares outstanding) 135 135 Additional paid-in capital 621,685 584,358 Retained earnings 2,312,134 1,889,450 Treasury stock, at cost (31,799,585 and 31,108,610 shares) (793,340) (691,857) Accumulated other comprehensive loss <td>LIABILITIES AND EQUITY</td> <td></td> <td></td>	LIABILITIES AND EQUITY		
Accrued compensation and benefits 286,121 312,216 Current portion of long-term debt 100,007 72,725 Income taxes payable 23,064 - Total current liabilities 1,046,941 1,163,063 Long-term debt 3,532,217 3,622,421 Other long-term liabilities 87,692 101,442 Alliance and product supply agreement, net 30,647 35,977 Deferred income taxes 334,855 244,884 Total liabilities 5,032,352 5,167,787 Commitments and contingencies 31,725 291,397 Equity: Preferred stock (\$0.001 par value, 5,000,000 shares authorized; none issued) Common stock (\$0.001 par value, 450,000,000 shares authorized; 134,862,283 Shares issued; 103,062,698 and 103,753,673 shares outstanding) 135 135 Additional paid-in capital 621,685 584,358 84,358 Retained earnings 2,312,134 1,889,450 1,767,747 Accumulated other comprehensive loss (5,548) (14,339) 1041,839 1041,839 1,062,689 1,767,747 No	Accounts payable	\$ 176,657	\$ 282,883
Current portion of long-term debt 100,007 72,725 Income taxes payable 23,064 . Total current liabilities 1,046,941 1,163,063 Long-term debt 3,532,217 3,622,421 Other long-term liabilities 87,692 101,442 Alliance and product supply agreement, net 30,647 35,977 Deferred income taxes 334,855 244,884 Total liabilities 5,032,352 5,167,787 Commitments and contingencies 331,725 291,397 Equity: Preferred stock (\$0.001 par value, 5,000,000 shares authorized; none issued) Common stock (\$0.001 par value, 450,000,000 shares authorized; 134,862,283 shares issued; 103,062,698 and 103,753,673 shares outstanding) 135 135 Additional paid-in capital 621,685 584,358 Retained earnings 2,312,134 1,889,450 Treasury stock, at cost (31,799,585 and 31,108,610 shares) (5,548) (14,339) 1 Accumulated other comprehensive loss (5,548) (14,339) 1 Total DaVita Inc. shareholders' equity 2,135,066 1,767,747 Non	Other liabilities	461,092	495,239
Income taxes payable 23,064 - Total current liabilities 1,046,941 1,163,063 Long-term debt 3,532,217 3,622,421 Other long-term liabilities 87,692 101,442 Alliance and product supply agreement, net 30,647 35,977 Deferred income taxes 334,855 244,884 Total liabilities 5,032,352 5,167,787 Commitments and contingencies 331,725 291,397 Equity: Preferred stock (\$0.001 par value, 5,000,000 shares authorized; none issued) 200,647 35,858 Common stock (\$0.001 par value, 450,000,000 shares authorized; none issued) 135 135 Additional paid-in capital 621,685 584,358 Retained earnings 2,312,134 1,889,450 Treasury stock, at cost (31,799,585 and 31,108,610 shares) (793,340) (691,857) Accumulated other comprehensive loss (5,548) (14,339) Total DaVita Inc. shareholders' equity 2,135,066 1,767,747 Noncontrolling interests not subject to put provisions 59,093 59,152 Total equity <	Accrued compensation and benefits	286,121	312,216
Total current liabilities 1,046,941 1,163,063 Long-term debt 3,532,217 3,622,421 Other long-term liabilities 87,692 101,442 Alliance and product supply agreement, net 30,647 35,977 Deferred income taxes 334,855 244,884 Total liabilities 5,032,352 5,167,787 Commitments and contingencies 331,725 291,397 Equity: Preferred stock (\$0.001 par value, 5,000,000 shares authorized; none issued) 331,725 291,397 Equity: Preferred stock (\$0.001 par value, 450,000,000 shares authorized; 134,862,283 5135 Additional paid-in capital 621,685 584,358 Retained earnings 2,312,134 1,889,450 1 1,839,450 Treasury stock, at cost (31,799,585 and 31,108,610 shares) (793,340) (691,857) 1 Accumulated other comprehensive loss (5,548) (14,339) 1 1 1 39,152 Total DaVita Inc. shareholders' equity 2,194,159 1,826,899 59,093 59,152 Total equity 2,194,159 1,826,899 <td< td=""><td>Current portion of long-term debt</td><td>100,007</td><td>72,725</td></td<>	Current portion of long-term debt	100,007	72,725
Long-term debt 3,532,217 3,622,421 Other long-term liabilities 87,692 101,442 Alliance and product supply agreement, net 30,647 35,977 Deferred income taxes 334,855 244,884 Total liabilities 5,032,352 5,167,787 Commitments and contingencies 331,725 291,397 Requity: 7 7 Preferred stock (\$0.001 par value, 5,000,000 shares authorized; none issued) 7 7 Common stock (\$0.001 par value, 450,000,000 shares authorized; 134,862,283 5 7 shares 135 135 135 Additional paid-in capital 621,685 584,358 8 Retained earnings 2,312,134 1,889,450 1 Treasury stock, at cost (31,799,585 and 31,108,610 shares) (793,340) (691,857) Accumulated other comprehensive loss (5,548) (14,339) Total DaVita Inc. shareholders' equity 2,135,066 1,767,747 Noncontrolling interests not subject to put provisions 59,093 59,152 Total quity 2,194,159 <t< td=""><td>Income taxes payable</td><td>23,064</td><td>-</td></t<>	Income taxes payable	23,064	-
Other long-term liabilities 87,692 101,442 Alliance and product supply agreement, net 30,647 35,977 Deferred income taxes 334,855 244,884 Total liabilities 5,032,352 5,167,787 Commitments and contingencies 331,725 291,397 Equity: Preferred stock (\$0.001 par value, 5,000,000 shares authorized; none issued) 244,884 Common stock (\$0.001 par value, 5,000,000 shares authorized; none issued) 313,725 291,397 Equity: Preferred stock (\$0.001 par value, 450,000,000 shares authorized; 134,862,283 546 Shares 135 135 135 Additional paid-in capital 621,685 584,358 8 Retained earnings 2,312,134 1,889,450 14,339 1 Treasury stock, at cost (31,799,585 and 31,108,610 shares) (793,340) (691,857) 1 Accumulated other comprehensive loss (5,548) (14,339) 1 Total DaVita Inc. shareholders' equity 2,135,066 1,767,747 1 Noncontrolling interests not subject to put provisions 59,093 59,152	Total current liabilities	1,046,941	1,163,063
Alliance and product supply agreement, net 30,647 35,977 Deferred income taxes 334,855 244,884 Total liabilities 5,032,352 5,167,787 Commitments and contingencies 331,725 291,397 Equity: 331,725 291,397 Equity: Preferred stock (\$0.001 par value, 5,000,000 shares authorized; none issued) Common stock (\$0.001 par value, 450,000,000 shares authorized; 134,862,283 Shares 135 135 issued; 103,062,698 and 103,753,673 shares outstanding) 135 135 Additional paid-in capital 621,685 584,358 Retained earnings 2,312,134 1,889,450 Treasury stock, at cost (31,799,585 and 31,108,610 shares) (793,340) (691,857) Accumulated other comprehensive loss (5,548) (14,339) Total DaVita Inc. shareholders' equity 2,135,066 1,767,747 Noncontrolling interests not subject to put provisions 59,093 59,152 Total equity 2,194,159 1,826,899	Long-term debt	3,532,217	3,622,421
Deferred income taxes334,855244,884Total liabilities5,032,3525,167,787Commitments and contingencies331,725291,397Equity:331,725291,397Equity:Preferred stock (\$0.001 par value, 5,000,000 shares authorized; none issued)315135Common stock (\$0.001 par value, 450,000,000 shares authorized; 134,862,283135135Additional paid-in capital621,685584,358Retained earnings2,312,1341,889,450Treasury stock, at cost (31,799,585 and 31,108,610 shares)(793,340)(691,857)Accumulated other comprehensive loss(5,548)(14,339)Total DaVita Inc. shareholders' equity2,135,0661,767,747Noncontrolling interests not subject to put provisions59,09359,152Total equity2,194,1591,826,889	Other long-term liabilities	87,692	101,442
Total liabilities5,032,3525,167,787Commitments and contingencies331,725291,397Equity:331,725291,397Equity:Preferred stock (\$0.001 par value, 5,000,000 shares authorized; none issued)315135Common stock (\$0.001 par value, 450,000,000 shares authorized; 134,862,283 shares135135issued; 103,062,698 and 103,753,673 shares outstanding)135135Additional paid-in capital621,685584,358Retained earnings2,312,1341,889,450Treasury stock, at cost (31,799,585 and 31,108,610 shares)(793,340)(691,857)Accumulated other comprehensive loss(5,548)(14,339)Total DaVita Inc. shareholders' equity2,135,0661,767,747Noncontrolling interests not subject to put provisions59,09359,152Total equity2,194,1591,826,889	Alliance and product supply agreement, net	30,647	35,977
Commitments and contingencies331,725291,397Equity:331,725291,397Preferred stock (\$0.001 par value, 5,000,000 shares authorized; none issued)Common stock (\$0.001 par value, 450,000,000 shares authorized; 134,862,283 shares135135issued; 103,062,698 and 103,753,673 shares outstanding)135135Additional paid-in capital621,685584,358Retained earnings2,312,1341,889,450Treasury stock, at cost (31,799,585 and 31,108,610 shares)(793,340)(691,857)Accumulated other comprehensive loss(5,548)(14,339)Total DaVita Inc. shareholders' equity2,135,0661,767,747Noncontrolling interests not subject to put provisions59,09359,152Total equity2,194,1591,826,889	Deferred income taxes	334,855	244,884
Noncontrolling interests subject to put provisions331,725291,397Equity: Preferred stock (\$0.001 par value, 5,000,000 shares authorized; none issued)Common stock (\$0.001 par value, 450,000,000 shares authorized; 134,862,283 sharesissued; 103,062,698 and 103,753,673 shares outstanding)135135Additional paid-in capital621,685584,358Retained earnings2,312,1341,889,450Treasury stock, at cost (31,799,585 and 31,108,610 shares)(793,340)(691,857)Accumulated other comprehensive loss(5,548)(14,339)Total DaVita Inc. shareholders' equity2,135,0661,767,747Noncontrolling interests not subject to put provisions59,09359,152Total equity2,194,1591,826,899	Total liabilities	5,032,352	5,167,787
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Additional paid-in capital 621,685 584,358 Retained earnings 2,312,134 1,889,450 Treasury stock, at cost (31,799,585 and 31,108,610 shares) (793,340) (691,857) Accumulated other comprehensive loss (5,548) (14,339) Total DaVita Inc. shareholders' equity 2,135,066 1,767,747 Noncontrolling interests not subject to put provisions 59,093 59,152 Total equity 2,194,159 1,826,899			
Retained earnings 2,312,134 1,889,450 Treasury stock, at cost (31,799,585 and 31,108,610 shares) (793,340) (691,857) Accumulated other comprehensive loss (5,548) (14,339) Total DaVita Inc. shareholders' equity 2,135,066 1,767,747 Noncontrolling interests not subject to put provisions 59,093 59,152 Total equity 2,194,159 1,826,899	issued; 103,062,698 and 103,753,673 shares outstanding)	135	135
Treasury stock, at cost (31,799,585 and 31,108,610 shares) (793,340) (691,857) Accumulated other comprehensive loss (5,548) (14,339) Total DaVita Inc. shareholders' equity 2,135,066 1,767,747 Noncontrolling interests not subject to put provisions 59,093 59,152 Total equity 2,194,159 1,826,899	Additional paid-in capital	621,685	584,358
Accumulated other comprehensive loss (1,339) Total DaVita Inc. shareholders' equity 2,135,066 1,767,747 Noncontrolling interests not subject to put provisions 59,093 59,152 Total equity 2,194,159 1,826,899	Retained earnings	2,312,134	1,889,450
Total DaVita Inc. shareholders' equity2,135,0661,767,747Noncontrolling interests not subject to put provisions59,09359,152Total equity2,194,1591,826,899	Treasury stock, at cost (31,799,585 and 31,108,610 shares)	(793,340)	(691,857)
Noncontrolling interests not subject to put provisions59,09359,152Total equity2,194,1591,826,899	Accumulated other comprehensive loss	(5,548)	(14,339)
Total equity 2,194,159 1,826,899	Total DaVita Inc. shareholders' equity	2,135,066	1,767,747
	Noncontrolling interests not subject to put provisions	59,093	59,152
\$ 7,558,236 \$ 7,286,083	Total equity	2,194,159	1,826,899
		\$ 7,558,236	\$ 7,286,083

DAVITA INC.

SUPPLEMENTAL FINANCIAL DATA

(unaudited)

(dollars in millions, except for per share and per treatment data)

December 31, 2009September 30, 2009December 31, 2008Year ended December 31, 20091. Consolidated Financial Results: Revenues\$ 1,568\$ 1,574\$ 1,461\$ 6,109Operating income\$ 238.7\$ 245.0\$ 223.1\$ 940.3Operating income margin15.2 %15.6 %15.3 %15.4 %Net income attributable to DaVita Inc.\$ 109.7\$ 110.9\$ 98.4\$ 422.7Diluted earnings per share attributable to DaVita Inc.\$ 1.06\$ 1.06\$ 0.94\$ 4.062. Consolidated Business Metrics: ExpensesExpenses5 1.06\$ 0.94\$ 4.06Bad debt expense as a percent of consolidated revenue 2.7% 2.7% 2.5% 2.6%		Three months ended							
Revenues \$ 1,568 \$ 1,574 \$ 1,461 \$ 6,109 Operating income \$ 238.7 \$ 245.0 \$ 223.1 \$ 940.3 Operating income margin 15.2 % 15.6 % 15.3 % 15.4 % Net income attributable to DaVita Inc. \$ 109.7 \$ 110.9 \$ 98.4 \$ 422.7 Diluted earnings per share attributable to DaVita Inc. \$ 1.06 \$ 1.06 \$ 0.94 \$ 4.06 2. Consolidated Business Metrics: Expenses Expenses 5 5.8 % 69.6 % 69.2 % 69.5 % General and administrative expenses as a percent of consolidated revenue ⁽¹⁾ 8.7 % 8.6 % 9.1 % 8.7 %						,			
Operating income\$238.7\$245.0\$223.1\$940.3Operating income margin15.2 %15.6 %15.3 %15.4 %Net income attributable to DaVita Inc.\$109.7\$110.9\$98.4\$422.7Diluted earnings per share attributable to DaVita Inc.\$1.06\$0.94\$4.06 Expenses Patient care costs as a percent of consolidated revenue ⁽¹⁾ 69.8 %69.6 %69.2 %69.5 %General and administrative expenses as a percent of consolidated revenue ⁽¹⁾ 8.7 %8.6 %9.1 %8.7 %	1. Consolidated Financial Results:			·					
Operating income margin15.2 %15.6 %15.3 %15.4 %Net income attributable to DaVita Inc.\$ 109.7 \$110.9 \$98.4 \$422.7Diluted earnings per share attributable to DaVita Inc.\$ 1.06 \$1.06 \$0.94 \$4.06 2. Consolidated Business Metrics:Expenses Patient care costs as a percent of consolidated revenue ⁽¹⁾ 69.8 %69.6 %69.2 %69.5 %General and administrative expenses as a percent of consolidated revenue ⁽¹⁾ 8.7 %8.6 %9.1 %8.7 %	Revenues	\$	1,568	\$	1,574	\$	1,461	\$	6,109
Net income attributable to DaVita Inc. \$ 109.7 \$ 110.9 \$ 98.4 \$ 422.7 Diluted earnings per share attributable to DaVita Inc. \$ 1.06 \$ 1.06 \$ 0.94 \$ 4.06 2. Consolidated Business Metrics: Expenses 5 1.06 \$ 69.6 % 69.2 % 69.5 % General and administrative expenses as a percent of consolidated revenue ⁽¹⁾ 8.7 % 8.6 % 9.1 % 8.7 %	Operating income	\$	238.7	\$	245.0	\$	223.1	\$	940.3
Diluted earnings per share attributable to DaVita Inc. \$ 1.06 \$ 1.06 \$ 0.94 \$ 4.06 2. Consolidated Business Metrics: Expenses Patient care costs as a percent of consolidated revenue ⁽¹⁾ 69.8 % 69.6 % 69.2 % 69.5 % General and administrative expenses as a percent of consolidated revenue ⁽¹⁾ 8.7 % 8.6 % 9.1 % 8.7 %	Operating income margin		15.2 %		15.6 %		15.3 %		15.4 %
2. Consolidated Business Metrics: Expenses Patient care costs as a percent of consolidated revenue ⁽¹⁾ 69.8 % 69.6 % 69.2 % 69.5 % General and administrative expenses as a percent of consolidated revenue ⁽¹⁾ 8.7 % 8.6 % 9.1 % 8.7 %	Net income attributable to DaVita Inc.	\$	109.7	\$	110.9	\$	98.4	\$	422.7
Expenses Patient care costs as a percent of consolidated revenue ⁽¹⁾ 69.8 % 69.6 % 69.2 % 69.5 % General and administrative expenses as a percent of consolidated revenue ⁽¹⁾ 8.7 % 8.6 % 9.1 % 8.7 %	Diluted earnings per share attributable to DaVita Inc.	\$	1.06	\$	1.06	\$	0.94	\$	4.06
Patient care costs as a percent of consolidated revenue ⁽¹⁾ 69.8 % 69.6 % 69.2 % 69.5 % General and administrative expenses as a percent of consolidated revenue ⁽¹⁾ 8.7 % 8.6 % 9.1 % 8.7 %	2. Consolidated Business Metrics:								
General and administrative expenses as a percent of consolidated revenue ⁽¹⁾ 8.7 % 8.6 % 9.1 % 8.7 %	Expenses								
	Patient care costs as a percent of consolidated revenue ⁽¹⁾		69.8 %		69.6 %		69.2 %		69.5 %
Bad debt expense as a percent of consolidated revenue 2.7 % 2.7 % 2.5 % 2.6 %	General and administrative expenses as a percent of consolidated $revenue^{(1)}$		8.7 %		8.6 %		9.1 %		8.7 %
	Bad debt expense as a percent of consolidated revenue		2.7 %		2.7 %		2.5 %		2.6 %
Consolidated effective tax rate attributable to DaVita Inc. ⁽²⁾ 38.5 % 40.0 % 37.7 % 39.7 %	Consolidated effective tax rate attributable to DaVita Inc. ⁽²⁾		38.5 %		40.0 %		37.7 %		39.7 %
3. Segment Financial Results: (dollar amounts rounded to nearest million)									
Dialysis and related lab services	Dialysis and related lab services								
Revenues \$ 1,483 \$ 1,491 \$ 1,389 \$ 5,792	Revenues	\$	1,483	\$	1,491	\$	1,389	\$	5,792
Direct operating expenses 1,229 1,231 1,150 4,792	Direct operating expenses		1,229		1,231		1,150		4,792
Dialysis segment margin \$ 254 \$ 260 \$ 240 \$ 1,000	Dialysis segment margin	\$	254	\$	260	\$	240	\$	1,000

Other - Ancillary services and strategic initiatives

Revenues	\$ 85	\$ 83	\$ 72	\$ 317
Direct operating expenses	91	87	77	335
Ancillary segment loss	\$ (6)	\$ (4)	\$ (6)	\$ (18)
Total segment margin	\$ 248	\$ 256	\$ 234	\$ 982
Reconciling items:				
Stock-based compensation	(11)	(11)	(11)	(44)
Equity investment income	1	1	-	2
Consolidated operating income	\$ 239	\$ 245	\$ 223	\$ 940

DAVITA INC.

SUPPLEMENTAL FINANCIAL DATA--continued

(unaudited)

(dollars in millions, except for per share and per treatment data)

			Т	hree	months er	nded			
	De	ecember 3 2009	1,	Se	ptember 30 2009	D,	December 31, 2008	Dec	Year ended ember 31, 2009
4. Segment Business Metrics:									
Dialysis and related lab services									
Volume									
Treatments		4,360,638		2	1,339,195		4,172,468		17,010,450
Number of treatment days		79.0			79.0		79.5		312.5
Treatments per day		55,198			54,927		52,484		54,433
Per day year over year increase		5.2	%		6.1 %	6	4.9 %		5.4 %
Non-acquired growth year over year		4.8	%		5.2 %	6	4.0 %		4.6 %
Revenue									
Dialysis and related lab services revenue per treatment	\$	339.43		\$	343.14	5	\$ 332.61	\$	339.97
Per treatment (decrease) increase from previous quarter		(1.1	%)		0.8 %	6	(1.1 %)		-
Per treatment increase from previous year		2.1	%		2.0 %	6	1.4 %		1.9 %
Percent of consolidated revenue		94.5	%		94.7 %	6	95.1 %		94.8 %
Expenses									
Patient care costs									
Percent of segment revenue		68.9	%		69.0 %	6	68.6 %		68.8 %
Per treatment	\$	234.18		\$	237.21		\$ 228.29	\$	234.34
Per treatment (decrease) increase from previous quarter		(1.3	%)		1.4 %	6	(1.8 %)		-
Per treatment increase from previous year		2.6	%		2.0 %	6	2.3 %		2.1 %
General and administrative expenses									
Percent of segment revenue		7.5	%		7.1 %	6	7.7 %		7.4 %
Per treatment	\$	25.66		\$	24.39	5	\$ 25.59	\$	25.09
Per treatment increase (decrease) from previous quarter		5.2	%		(3.0 %	6)	2.9 %		-
Per treatment increase (decrease) from previous year		0.3	%		(2.0 %	6)	(5.4 %)		1.3 %
5. Cash Flow:									
Operating cash flow	\$	152.6		\$	167.5	9	\$ 198.5	\$	666.7
Operating cash flow last twelve months	\$	666.7		\$	712.7	5	\$ 613.7		
Free cash flow ⁽²⁾	\$	96.7		\$	125.5		\$ 144.8	\$	485.2
Free cash flow, last twelve months ⁽²⁾	\$	485.2		\$	533.3	9	\$ 450.7		
Capital expenditures:									
Development and relocations	\$	33.9		\$	42.4		\$ 54.7	\$	160.8
Routine maintenance/IT other	\$	35.1		\$	25.0		\$ 39.4	\$	113.8
Acquisition expenditures	\$	23.6		\$	20.7	2	\$ 24.8	\$	87.6
6. Accounts Receivable:									
Net receivables	\$	1,106		\$	1,143		\$ 1,075		

DAVITA INC.

SUPPLEMENTAL FINANCIAL DATA--continued

(unaudited)

(dollars in millions, except for per share and per treatment data)

	Th			
	December 31, 2009	September 30, 2009	December 31, 2008	Year ended December 31, 2009
7. Debt and Capital Structure:			· ·	
Total debt ⁽³⁾	\$ 3,630	\$ 3,654	\$ 3,691	
Net debt, net of cash ⁽³⁾	\$ 3,090	\$ 3,072	\$ 3,281	
Leverage ratio (see Note 1 on page 9)	2.56x	2.57x	2.88x	
Overall effective weighted average interest rate during the quarter	4.69%	4.79%	5.77%	
Overall effective weighted average interest rate at end of the quarter	4.68%	4.76%	5.10%	
Effective weighted average interest rate on the Senior Secured Credit Facilities at end of the quarter	2.63%	2.81%	3.48%	
Economically fixed interest rates as a percentage of our total debt	59%	61%	69%	
Share repurchases	\$ 59.1	\$ 62.4	\$ 63.0	\$ 153.5
8. Clinical: (quarterly averages)				
Dialysis adequacy -% of patients with $Kt/V > 1.2$	95%	95%	94%	
90 day patients average Hb>=10 <=12	64%	64%	53%	
Patients with arteriovenous fistulas placed	65%	64%	62%	

(1) Consolidated percentages of revenue and per treatment amounts are comprised of the dialysis and related lab services business, other ancillary services and strategic initiatives, as well as stock-based compensation expenses.

(2) These are non-GAAP financial measures. For a reconciliation of these non-GAAP financial measures to their most comparable measure calculated and presented in accordance with GAAP, see attached reconciliation schedules.

(3) This is a non-GAAP financial measure. It excludes \$2.7 million, for the quarter ended December 31, 2009, the unamortized balance of a debt premium associated with our senior notes that is not actually outstanding debt principal.

DAVITA INC.

SUPPLEMENTAL FINANCIAL DATA--continued

(unaudited)

(dollars in thousands)

Note 1: Calculation of the Leverage Ratio

Under the Company's current Senior Secured Credit Facilities (Credit Agreement), the leverage ratio is defined as all funded debt plus the face amount of all letters of credit issued, minus cash and cash equivalents, divided by "Consolidated EBITDA". The leverage ratio determines the interest rate margin payable by the Company for its term loan A and revolving line of credit under the Credit Agreement by establishing the margin over the base interest rate (LIBOR) that is applicable. The following leverage ratio was calculated using "Consolidated EBITDA" as defined in the Credit Agreement. The calculation below is based on the last twelve months of "Consolidated EBITDA", pro forma for the routine acquisitions that occurred during the period. The Company's management believes the presentation of "Consolidated EBITDA" is useful to investors to enhance their understanding of the Company's leverage ratio under its Credit Agreement.

	months ended December 31, 2009
Net income attributable to DaVita Inc.	\$ 422,684
Income taxes	278,465
Debt expense	185,755
Depreciation and amortization	228,986
Noncontrolling interests and equity investment income, net	54,633
Other	10,058
Stock-based compensation expense	44,422
"Consolidated EBITDA"	\$ 1,225,003

Polling twolvo

	December 31, 2005
Total debt, excluding debt premium of \$2.7 million	\$ 3,629,526
Letters of credit issued	51,889
	3,681,415
Less: cash and cash equivalents	(539,459)
Consolidated net debt	\$ 3,141,956
Last twelve months "Consolidated EBITDA"	\$ 1,225,003
Leverage ratio	2.56x

ombor 31 2009

In accordance with the Company's Credit Agreement, the Company's leverage ratio cannot exceed 4.00 to 1.0 as of December 31, 2009. At that date the Company's leverage ratio did not exceed 4.00 to 1.0.

DAVITA INC.

RECONCILIATIONS FOR NON-GAAP MEASURES

(unaudited)

(dollars in thousands)

1.Effective Income Tax Rates

We believe that reporting the effective income tax rate attributable to DaVita Inc. enhances a user's understanding of DaVita's effective income tax rate for the periods presented because it excludes noncontrolling owners' income that primarily relates to non-tax paying entities and accordingly is more comparable to prior periods presentations regarding DaVita's effective income tax rate and is more meaningful to a user to fully understand the related income tax effects on DaVita Inc. operating results. This is not a measure under United States generally accepted accounting principles and should not be considered as an alternative to the effective income tax rate.

Effective income tax rate as compared to the effective income tax rate attributable to DaVita Inc. is as follows:

	December 31, 2009	September 30, 2009	December 31, 2008	Year ended December 31, 2009	
Income before income taxes	\$ 194,563	\$ 200,465	\$ 169,364	\$ 758,224	
Income tax expense	\$ 68,980	\$ 74,195	\$ 59,618	\$ 278,465	
Effective income tax rate	35.5 %	37.0 %	35.2 %	36.7 %	

	December 31, 2009	September 30, 2009	December 31, 2008	Year ended December 31, 2009	
Income before income taxes	\$ 194,563	\$ 200,465	\$ 169,364	\$ 758,224	
Less: Noncontrolling owners' income primarily attributable to non-tax paying entities	(16,149)	(15,585)	(11,509)	(57,803)	
Income before income taxes attributable to DaVita Inc.	\$ 178,414	\$ 184,880	\$ 157,855	\$ 700,421	
Income tax expense Less income tax attributable to noncontrolling interests	\$ 68,980 (290)	\$ 74,195 (245)	\$ 59,618 (128)	\$ 278,465 (728)	
Income tax attributable to DaVita Inc.	\$ 68,690	\$ 73,950	\$ 59,490	\$ 277,737	
Effective income tax rate attributable to DaVita Inc.	38.5 %	40.0 %	37.7 %	39.7 %	

DAVITA INC.

RECONCILIATIONS FOR NON-GAAP MEASURES

(unaudited)

(dollars in thousands)

2.Free cash flow

Free cash flow represents net cash provided by operating activities less income distributions to noncontrolling interests and capital expenditures for routine maintenance and information technology. We believe free cash flow is a useful adjunct to cash flow from operating activities and other measurements under

United States generally accepted accounting principles, since free cash flow is a meaningful measure of our ability to fund acquisition and development activities and meet our debt service requirements. In addition, free cash flow excluding income distributions to noncontrolling interests provides a user with an understanding of free cash flows that are attributable to DaVita Inc. Free cash flow is not a measure of financial performance under United States generally accepted accounting principles and should not be considered as an alternative to cash flows from operating, investing or financing activities, as an indicator of cash flows or as a measure of liquidity.

		Three months ended						
	December 31, 2009		September 30, 2009		December 31, 2008		Year ended December 31, 2009	
Cash provided by operating activities	\$	152,591	\$	167,487	\$	198,549	\$	666,710
Less: Income distributions to noncontrolling interests		(20,860)		(16,993)		(14,379)		(67,748)
Cash provided by operating activities attributable to DaVita Inc.	\$	131,731	\$	150,494	\$	184,170	\$	598,962
Less: Expenditures for routine maintenance and information technology		(35,066)		(25,040)		(39,412)		(113,763)
Free cash flow	\$	96,665	\$	125,454	\$	144,758	\$	485,199

	Rolling 12-Month Period						
	December 31, 2009		September 30, 2009		December 31, 2008		
Cash provided by operating activities	\$	666,710	\$	712,668	\$	613,701	
Less: Income distributions to noncontrolling interests		(67,748)		(61,267)		(57,770)	
Cash provided by operating activities attributable to DaVita Inc.	\$	598,962	\$	651,401	\$	555,931	
Less: Expenditures for routine maintenance and information technology		(113,763)		(118,109)		(105,233)	
Free cash flow.	\$	485,199	\$	533,292	\$	450,698	

SOURCE: DaVita Inc.

DaVita Inc. Jim Gustafson Investor Relations 310-536-2585

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