



## AMERICAN CHAMBER OF COMMERCE IN NORWAY

### Healthcare Position Paper

AmCham Norway's Healthcare Working Group – comprised of directors of the leading international pharmaceutical companies in the country – works to improve Norwegian patients' access to the most effective, innovative, and timely treatments available. The working group contributes to a wide range of healthcare policy discussions, providing policy makers and relevant stakeholders with genuine industry information and insight. Of primary interest for the group is healthcare innovation, market access, and the pursuit of enhanced collaboration with the public sector to achieve improved and sustainable healthcare services in Norway.

Norway's robust national healthcare system, internationally acclaimed research institutions, unique health data troves – and the current government's favorable industrial policy – all work to make Norway more attractive for increased research and development investment on behalf of patients worldwide.

The publication of the White Paper on Health Industry in early 2019 marked a defining moment in addressing the healthcare industry's potential in Norway<sup>1</sup>. It underscored the importance of increased public-private collaboration in achieving the many commendable goals set forth therein. This work continues.

### Innovation

The pharmaceutical industry is one of the most productive and innovative industries in Europe, generating significantly more value, on average, than other industries<sup>2</sup>. Furthermore, innovation in this sector not only secures future-oriented research jobs and long-term value creation – it is also critical to the development of treatments for a wide range of diseases and health conditions. Therefore, the development of policy frameworks that foster innovation in this sector is of high public interest. The industry is both high risk and research intensive, making the preservation of intellectual property rights critically important to ensuring both a sustainable ecosystem and patient access to the best care available.

Currently, Norway's public tendering system is unpredictable and lacks transparency, a situation that prevents Norwegian patients from receiving the most innovative medicines and treatments available. From a trade perspective, barriers include the removal or reduction of essential trade incentives and the infringement of intellectual property rights through the tendering process, breaching established international trade precedents on the protection of competitive advantages.

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<sup>1</sup> Ministry of Trade and Fisheries (2019) *Helsenæringen – Sammen om verdiskapning og bedre tjenester*.

Available at:

<https://www.regjeringen.no/contentassets/41435798a618491e902935a590967502/no/pdfs/stm201820190018000dddpdfs.pdf>

<sup>2</sup> EFPIA (2019) *The Pharmaceutical Industry in Numbers – Key Data*. Available at:

<https://www.efpia.eu/media/413006/the-pharmaceutical-industry-in-figures.pdf>

DEVELOPING NORWEGIAN-AMERICAN BUSINESS RELATIONS



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### **Market Access: Procurement, Confidentiality & HTA**

As the Norwegian government is the dominant purchaser of healthcare solutions in Norway, the current system constitutes a monopsony, where a single buyer dominates the demand for a sector's products. Given these marketplace conditions, pharmaceutical companies often work under suboptimal conditions to attain and/or persevere market access in Norway. Such companies often hesitate to appeal government decisions out of concern for impairing their relationships with their sole customer. The establishment of a Norwegian Procurement Authority, as suggested by the Norwegian Competition Authority, will make the public procurement system more transparent.

Further, unit price confidentiality in public procurement is essential, as competition sensitive Norwegian market information can reveal suppliers' discounts for international markets. The elimination of unit price confidentiality can diminish the ability of the Norwegian authorities to negotiate discounted prices.

For pharmaceutical products to be considered for tendering in Norway, they must additionally go through a Health Technology Assessment (HTA) by The Norwegian Medicines Association. The process, averaging 333 days, is unreasonably time consuming, preventing Norwegians from receiving the same access to new treatments as citizens in neighboring countries.

In addition to the HTA process, the subsequent hospital tendering process is characterized by a lack of transparency, predictability, right to appeal, and respect for established intellectual property protections. These problems are further exacerbated as the national Decision Forum (DF or *Beslutningsforum*) often lacks qualitative explanations in its rationale for accepting or rejecting medicines.

### **Collaboration**

As clearly acknowledged in the White Paper on Health Industry, many of the current shared challenges are related to the culture of cooperation between the business, higher education, and the public healthcare sectors. To address this, several official bodies now support improved general business conditions to make the public healthcare sector a viable partner for industry.

AmCham encourages and supports the work of the Norwegian government to realize healthcare industry aspirations as addressed in the White Paper and related initiatives. Furthermore, AmCham pledges to contribute to these initiatives by playing an important role in facilitating public-private collaboration and dialogue. Given optimal collaborative conditions, the healthcare sector can become a cornerstone of the Norwegian economy, creating more high-quality jobs, groundbreaking innovations and further contributing to the health of Norwegian citizens.