



AMERICAN CHAMBER OF COMMERCE IN NORWAY

Healthcare Position Paper

AmCham Norway's Healthcare Working Group – comprised of directors of the leading international healthcare 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 and unique health data troves all work to make Norway more attractive for increased research and development investment on behalf of patients worldwide.

The publication of the Norwegian government's White Paper on Health Industry in early 2019 marked a defining moment in addressing the healthcare industry's potential in Norwayⁱ. It underscored the importance of increased public-private collaboration in achieving the many commendable goals set forth therein. This work continues, as evidenced by the 2021 *Perspectives White Paper* and *Action Plan for Clinical Studies*, both outlining specific areas in which increased healthcare investment and innovation will be vital for the Norwegian economy and healthcare systemⁱⁱⁱⁱ.

Innovation

The pharmaceutical industry is one of the most productive and innovative industries in Europe, generating significantly more value, on average, than other industries^{iv}. 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, preventing Norwegian patients from accessing the most innovative medicines and treatments available. From an international industrial and 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.

Market Access: Procurement, Confidentiality & HTA

As the Norwegian government is the primary 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, healthcare companies often work under suboptimal conditions to attain and/or preserve market access in Norway. Such companies often hesitate to appeal government decisions out of concern for impairing their relationships with their sole

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customer. The establishment of a Norwegian Procurement Authority, as suggested by the Norwegian Competition Authority, would 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 healthcare 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 522 days, is unreasonably time consuming, preventing Norwegians from receiving the same access to new treatments as citizens in neighboring countries, and often calling for irrelevant or unduly burdensome data collection, beyond the scope of any other regional HTA^v.

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. In 2020, only 62% of submitted *methods* were accepted by DF, and 66% of *pharmaceuticals*^{vi}. In 2015-2018, this translated to a 47% rate of full public availability of European Medicines Agency approved treatments^{vii}.

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 public healthcare actors. 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.



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ⁱ 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>

ⁱⁱ Norwegian Finance Department. *Perspektivmeldingen 2021*. Available at: <https://www.regjeringen.no/contentassets/91bdfca9231d45408e8107a703fee790/no/pdfs/stm202020210014000dddpdfs.pdf>

ⁱⁱⁱ Norwegian Health and Care Department. *Nasjonal handlingsplan for kliniske studier*. Available at: https://www.regjeringen.no/contentassets/59ffc7b38a4f46fbb062aeca50e272d/207035_kliniske_studier_k6_b.pdf

^{iv} EFPIA (2021) *The Pharmaceutical Industry in Figures*. Available at: <https://www.efpia.eu/media/602709/the-pharmaceutical-industry-in-figures-2021.pdf>

^v EFPIA (2019) *The Pharmaceutical WAIT Indicator*. Available at: <https://www.efpia.eu/media/413006/the-pharmaceutical-industry-in-figures.pdf>

^{vi} Beslutningsforum for Nye Metoder. *Årsoppsummering 2020*. Available at: <https://docplayer.me/211949705-Beslutningsforum-for-nye-metoder-arsoppsummering-2020.html>

^{vii} EFPIA (2019) *The Pharmaceutical WAIT Indicator*. Available at: <https://www.efpia.eu/media/413006/the-pharmaceutical-industry-in-figures.pdf>

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