



ADVOCACY WORKING GROUP
MARKET STUDIES PROJECT

MARKET STUDIES INFORMATION STORE

SECTOR

HEALTH

UPDATED: JULY 2020

Information Store

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| Jurisdiction: | Brazil | | | | | | | | | | | |
| Sector: | Supplementary Health | | | | | | | | | | | |
| Market: | Health care, hospital and diagnostic services | Range of Possible Outcomes | | | | | | | | | | |
| End Date: | 2018 | | | | | | | | | | | |
| Duration: | | Competition Enforcement | Consumer Enforcement | Consumer Education | Business Education | Voluntary Business Compliance | Voluntary Business Action | Recommendations to Government for Changes in the Law | Recommendations to Government to Change Market Structure | Recommendations for Changes to Government Policy | Referral to Third Parties | No Problems Found |
| Source of idea for study: | | | | | | | | | | | | |
| Outcome: (check all relevant boxes) | | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Reason for study (what were the underlying problems?): | The constant growth and structural changes that the supplementary health sector has undergone over recent years in Brazil and its social and economic relevance. Until 2017, CADE analyzed 155 mergers involving companies in the sector. CADE observed a phenomenon of market concentration and verticalization related to market failures and high entry costs due to regulatory and technological requirements. The study presents CADE's jurisprudence and the different aspects of the merger analysis concerning the market of supplementary health and its productive chain. | | | | | | | | | | | |
| Link to report: | http://www.cade.gov.br/aceso-a-informacao/publicacoes-institucionais/publicacoes-dee/cadernos-do-cade-atos-de-concentracao-nos-mercados-de-planos-de-saude-hospitais-e-medicina-diagnostics.pdf | | | | | | | | | | | |
| Remarks (if any): | | | | | | | | | | | | |

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| Jurisdiction: | Israel | | | | | | | | | | | |
| Sector: | Health / Insurance | | | | | | | | | | | |
| Market: | Private Health Insurance | Range of Possible Outcomes | | | | | | | | | | |
| End Date: | Ongoing | | | | | | | | | | | |
| Duration: | 2 years | Competition Enforcement | Consumer Enforcement | Consumer Education | Business Education | Voluntary Business Compliance | Voluntary Business Action | Recommendations to Government for Changes in the Law | Recommendations to Government to Change Market Structure | Recommendations for Changes to Government Policy | Referral to Third Parties | No Problems Found |
| Source of idea for study: | Capital Market, Insurance & Savings Authority | | | | | | | | | | | |
| Outcome: (check all relevant boxes) | | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Reason for study (what were the underlying problems?): | <p>The Israeli private health insurance market grew rapidly over the last decade. The goal of the study is to explore the incentives given by insurance companies to insurance agents, examine their effects on agents and on the insurance policies purchased by consumers.</p> <p>An interim report, which was published in June 2020, mainly includes descriptive statistics. It provides for a broad overview of the private health insurance market during the years 2012-2018.</p> | | | | | | | | | | | |
| Link to report: | Draft for Public Comments – Health Insurance Market Study: Interim Report (June 14 th , 2020) https://www.gov.il/he/departments/publications/reports/draft-healthinsurance (Hebrew) | | | | | | | | | | | |
| Remarks (if any): | | | | | | | | | | | | |

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Study on free market and competition in the expired-patent drug markets in Mexico

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| Jurisdiction: | Mexico - Federal Economic Competition Commission (COFECE) | | | | | | | | | | | |
| Sector: | Health | | | | | | | | | | | |
| Market: | Generic Drugs | Range of Possible Outcomes | | | | | | | | | | |
| End Date: | Mayo 2017 | | | | | | | | | | | |
| Duration: | One year | Competition Enforcement | Consumer Enforcement | Consumer Education | Business Education | Voluntary Business Compliance | Voluntary Business Action | Recommendations to Government for Changes in the Law | Recommendations to Government to Change Market Structure | Recommendations for Changes to Government Policy | Referral to Third Parties | No Problems Found |
| Source of idea for study: | The drug market is relevant due to its effects on life expectancy and the welfare, along with its importance in the domestic economy and household expenses. | | | | | | | | | | | |
| Outcome: (check all relevant boxes) | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Reason for study (what were the underlying problems?): | Improvement of the market conditions to guarantee more competition | | | | | | | | | | | |
| Link to report: | https://cofece.mx/wp-content/uploads/2017/11/Studies-drug-markets vF-BAJA.pdf#pdf | | | | | | | | | | | |
| Remarks (if any): | Study available in English language. | | | | | | | | | | | |



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| Jurisdiction: | Sweden | | | | | | | | | | | | |
| Sector: | Health Care | | | | | | | | | | | | |
| Market: | Health Care, doctors for hire | Range of Possible Outcomes | | | | | | | | | | | |
| End Date: | Ongoing - June 2020, | | | | | | | | | | | | |
| Duration: | 9 months | | | | | | | | | | | | |
| Source of idea for study: | Own initiative | | | | | | | | | | | | |
| Outcome: (check all relevant boxes) | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Reason for study (what were the underlying problems?): | Follow-up of report from 2015 concerning doctors for hire in primary care within the regions in Sweden. | | | | | | | | | | | | |
| Link to report: | | | | | | | | | | | | | |
| Remarks (if any): | Ongoing study | | | | | | | | | | | | |

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| Jurisdiction: | Sweden | | | | | | | | | | | |
| Sector: | Health | | | | | | | | | | | |
| Market: | Healthcare including dental care and social services | Range of Possible Outcomes | | | | | | | | | | |
| End Date: | Feb 12, 2018 | Competition Enforcement | Consumer Enforcement | Consumer Education | Business Education | Voluntary Business Compliance | Voluntary Business Action | Recommendations to Government for Changes in the Law | Recommendations to Government to Change Market Structure | Recommendations for Changes to Government Policy | Referral to Third Parties | No Problems Found |
| Duration: | 9 months | | | | | | | | | | | |
| Source of idea for study: | Government commissioned inquiry | | | | | | | | | | | |
| Outcome (tick relevant columns): | | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Reason for study (what were the problems)? | General concerns and monitoring of markets. | | | | | | | | | | | |
| Link to report: | http://www.konkurrensverket.se/globalassets/publikationer/rapporter/rapport_2018-1.pdf see also http://www.konkurrensverket.se/globalassets/publikationer/rapporter/rapport_2017-8.pdf see also http://www.konkurrensverket.se/globalassets/publikationer/rapporter/rapport_2015-10.pdf | | | | | | | | | | | |

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| Jurisdiction: | United States – Federal Trade Commission (FTC) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|--------------------------|-------------------------------------|-------------------------------|---------------------------|--|--|--|---------------------------|--------------------------|--|--|----------------------------|--|--|--|--|--|--|--|--|--|--|--|-------------------------|----------------------|--------------------|--------------------|-------------------------------|---------------------------|--|--|--|---------------------------|-------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| Sector: | Healthcare | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Market: | Health professional services and hospitals/clinics | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| End Date: | Ongoing study | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Duration: | Announced October 21, 2019 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Source of idea for study: | FTC initiative | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Outcome: (check all relevant boxes) | <table border="1"> <thead> <tr> <th colspan="12">Range of Possible Outcomes</th> </tr> <tr> <th>Competition Enforcement</th> <th>Consumer Enforcement</th> <th>Consumer Education</th> <th>Business Education</th> <th>Voluntary Business Compliance</th> <th>Voluntary Business Action</th> <th>Recommendations to Government for Changes in the Law</th> <th>Recommendations to Government to Change Market Structure</th> <th>Recommendations for Changes to Government Policy</th> <th>Referral to Third Parties</th> <th>No Problems Found</th> </tr> </thead> <tbody> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </tbody> </table> | | | | | | | | | | | | Range of Possible Outcomes | | | | | | | | | | | | Competition Enforcement | Consumer Enforcement | Consumer Education | Business Education | Voluntary Business Compliance | Voluntary Business Action | Recommendations to Government for Changes in the Law | Recommendations to Government to Change Market Structure | Recommendations for Changes to Government Policy | Referral to Third Parties | No Problems Found | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Range of Possible Outcomes | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Competition Enforcement | Consumer Enforcement | Consumer Education | Business Education | Voluntary Business Compliance | Voluntary Business Action | Recommendations to Government for Changes in the Law | Recommendations to Government to Change Market Structure | Recommendations for Changes to Government Policy | Referral to Third Parties | No Problems Found | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Reason for study (what were the underlying problems?): | <p>The FTC issued orders to five health insurance companies and two health systems to provide information that will allow the agency to study the effects of certificates of public advantage (“COPAs”) on prices, quality, access, and innovation of healthcare services. COPAs are regulatory regimes, adopted by state governments that are intended to displace competition among healthcare providers. COPAs purport to immunize mergers and collaborations from antitrust scrutiny. The FTC orders seek aggregated patient billing and discharge data; health system employee wage data; and other information relevant for analyzing the health systems’ prices, quality, access, and innovation. The FTC also intends to study the impact of hospital consolidation on employee wages.</p> <p>In addition, the FTC intends to collect information over the next several years that will help FTC staff to conduct retrospective analyses of the Ballad Health and Cabell COPAs. Once the study is complete, the FTC intends to report publicly the study’s findings in a manner that is consistent with the FTC’s confidentiality rules. This project will enhance the agency’s</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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| | knowledge of COPAs and inform future advocacy and enforcement. It will also serve as a resource for state governments and stakeholders who may be considering using COPAs. |
| Link to report: | https://www.ftc.gov/news-events/press-releases/2019/10/ftc-study-impact-copas |
| Remarks (if any): | FTC staff have led an ongoing COPA Assessment Project to assess the effects of COPAs, which includes this study and a related workshop . A description of related work is available within this document. Search for “COPA” to locate additional information. |

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| Jurisdiction: | United States – Federal Trade Commission (FTC) | | | | | | | | | | | |
| Sector: | Healthcare | | | | | | | | | | | |
| Market: | Pharmaceutical pricing | Range of Possible Outcomes | | | | | | | | | | |
| End Date: | June 24, 2019 | | | | | | | | | | | |
| Duration: | Approximately four months from request to report being issued | Competition Enforcement | Consumer Enforcement | Consumer Education | Business Education | Voluntary Business Compliance | Voluntary Business Action | Recommendations to Government for Changes in the Law | Recommendations to Government to Change Market Structure | Recommendations for Changes to Government Policy | Referral to Third Parties | No Problems Found |
| Source of idea for study: | Congressional request | | | | | | | | | | | |
| Outcome: (check all relevant boxes) | | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Reason for study (what were the underlying problems?): | <p>In response to a Congressional request, the FTC issued a report about the FTC's authority, under Section 5 of the Federal Trade Commission Act, to address "unreasonable" price increases for off-patent pharmaceutical drugs and biologics. Part I of this Report provides an overview of the scope of the FTC's authority under Section 5(a) to address unfair methods of competition and the nexus to existing antitrust principles. Part II explains how the Commission may combat high drug prices when a monopolist employs business practices that harm competition. Part III briefly discusses other considerations that may affect the FTC's use of its standalone Section 5 authority* to address anticompetitive conduct. Part IV examines how the FTC enforces the antitrust laws to combat anticompetitive conduct and preserve competition in pharmaceutical markets. Part V recounts FTC's efforts to work with the Food and Drug Administration (FDA) and other government agencies to promote competition and eliminate barriers to entry in pharmaceutical and emerging biologic markets.</p> | | | | | | | | | | | |
| Link to report: | https://www.ftc.gov/reports/ftc-report-standalone-section-5-address-high-pharmaceutical-drug-biologic-prices | | | | | | | | | | | |
| Remarks (if any): | <p>Congress directed the Federal Trade Commission to report to the House and Senate Appropriations Committees on the use of the FTC's standalone authority under Section 5 of the Federal Trade Commission Act to address high pharmaceutical prices.</p> | | | | | | | | | | | |

*Standalone authority refers to the Commission's application of its statutory authority to take action against "unfair methods of competition" prohibited by Section 5 of the FTC Act but not necessarily by the Sherman or Clayton Act (which are other federal antitrust laws).

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| Jurisdiction: | United States – Federal Trade Commission (FTC) | | | | | | | | | | | |
| Sector: | Healthcare | | | | | | | | | | | |
| Market: | Health professional services and hospitals/clinics | Range of Possible Outcomes | | | | | | | | | | |
| End Date: | June 18, 2019 [related work is ongoing] | | | | | | | | | | | |
| Duration: | 1 day workshop | Competition Enforcement | Consumer Enforcement | Consumer Education | Business Education | Voluntary Business Compliance | Voluntary Business Action | Recommendations to Government for Changes in the Law | Recommendations to Government to Change Market Structure | Recommendations for Changes to Government Policy | Referral to Third Parties | No Problems Found |
| Source of idea for study: | FTC’s past advocacy and enforcement in healthcare markets | | | | | | | | | | | |
| Outcome: (check all relevant boxes) | | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Reason for study (what were the underlying problems?): | <p>This workshop assessed the impact of certificates of public advantage (“COPAs”) on prices, quality, access, and innovation for healthcare services. COPAs are regulatory regimes adopted by state governments intended to displace competition among healthcare providers, and immunize mergers and collaborations from antitrust scrutiny. The FTC used this workshop to develop a better understanding of the actual benefits and harms associated with COPAs, to advance the agency’s policy and enforcement strategies.</p> <p>Topics discussed at the workshop included:</p> <ul style="list-style-type: none"> • General conclusions, if any, that may be drawn from existing research on the effects of COPAs, as well as suggestions for additional research that may be useful; • Observations and practical experiences with COPAs, including the resources and expertise required at the state level to implement and monitor these regulatory regimes; and • The ability of competition versus regulation to generate optimal levels of price, quality, access, and innovation in healthcare markets. <p>FTC sought public comments in advance of and following the workshop.</p> | | | | | | | | | | | |

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| Link to report: | https://www.ftc.gov/news-events/events-calendar/health-check-copas-assessing-impact-certificates-public-advantage |
| Remarks (if any): | <p>This workshop was part of a broader COPA Assessment Project announced in November 2017. Academics, health policy experts, healthcare industry stakeholders, state regulators and law enforcers, and staff from the FTC's Bureau of Economics discussed research regarding the effects of COPAs, as well as practical experiences with these regulatory regimes. A study of price and quality effects following Phoebe Putney's acquisition of Palmyra Memorial Hospital, which involved an otherwise anticompetitive hospital merger that was consummated due to state regulations, was also presented.</p> <p>In October 2019, the FTC announced plans to conduct a market study on the effects of certificates of public advantage on prices, quality, access, and innovation of healthcare services.</p> <p>A description of related work is available within this document. Search for "COPA" to locate additional information.</p> |

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| Jurisdiction: | United States – Federal Trade Commission (FTC) | | | | | | | | | | | |
| Sector: | Healthcare | | | | | | | | | | | |
| Market: | Reverse-payment settlements | Range of Possible Outcomes | | | | | | | | | | |
| End Date: | May 2019 | | | | | | | | | | | |
| Duration: | Third report in a series | Competition Enforcement | Consumer Enforcement | Consumer Education | Business Education | Voluntary Business Compliance | Voluntary Business Action | Recommendations to Government for Changes in the Law | Recommendations to Government to Change Market Structure | Recommendations for Changes to Government Policy | Referral to Third Parties | No Problems Found |
| Source of idea for study: | Prior FTC enforcement and advocacy work | | | | | | | | | | | |
| Outcome: (check all relevant boxes) | | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Reason for study (what were the underlying problems?): | <p>Generic drugs often cost less than brand drugs, helping to make medicines more affordable for millions of American consumers and thereby keep health care costs down. This report is the FTC’s third regarding reverse payment settlement agreements since <i>FTC v. Actavis</i>, a Supreme Court decision holding that a brand drug manufacturer’s reverse payment to a generic competition to settle patent litigation can violate the antitrust laws. The report found that, despite a considerable increase in the total number of final patent settlements in Fiscal Year 2016, significantly fewer settlements included the types of reverse payments that are likely to be anticompetitive.</p> <p>According to the report:</p> <ul style="list-style-type: none"> • Only a single agreement contained a side deal or no-authorized-generic commitment, the types of reverse payments at issue in the <i>Actavis</i> case and, subsequently, in cases before appellate courts. This was the lowest number of such agreements since 2004. • In 29 of the 30 final settlements that contained compensation to the generic company and a restriction on selling a generic product for a period of time, the only explicit compensation was \$7 million or less in litigation fees. In <i>Actavis</i>, the Supreme Court noted that avoided litigation expenses might constitute a justified payment. | | | | | | | | | | | |

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| | <ul style="list-style-type: none">• The number of agreements with “possible compensation” to the generic company – provisions that might act as compensation, but would require inquiry into specific marketplace circumstances – increased to 14.• In 82 percent of final settlements, the generic company received rights not only to the patents at issue in the litigation, but also to licenses or covenants not to sue for all patents that the brand owns at any time after the settlement that might cover the generic product.• Other features tracked by the report include provisions that accelerate the licensed entry date based on marketplace events and how parties settle when the generic company has launched its generic product at risk – before a final court decision on the patent merits – prior to settlement. |
| Link to report: | https://www.ftc.gov/reports/agreements-filed-federal-trade-commission-under-medicare-prescription-drug-improvement-fy2016 |
| Remarks (if any): | Prior reports in this series can be found at https://www.ftc.gov/taxonomy/term/388/type/report . |

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| Jurisdiction: | United States – Federal Trade Commission (FTC) | | | | | | | | | | | |
| Sector: | Healthcare | | | | | | | | | | | |
| Market: | Contact lenses | Range of Possible Outcomes | | | | | | | | | | |
| End Date: | March 7, 2018 | | | | | | | | | | | |
| Duration: | 1 day workshop | Competition Enforcement | Consumer Enforcement | Consumer Education | Business Education | Voluntary Business Compliance | Voluntary Business Action | Recommendations to Government for Changes in the Law | Recommendations to Government to Change Market Structure | Recommendations for Changes to Government Policy | Referral to Third Parties | No Problems Found |
| Source of idea for study: | Bureau of Competition; Bureau of Consumer Protection; previously issued FTC rule | | | | | | | | | | | |
| Outcome: (check all relevant boxes) | | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Reason for study (what were the underlying problems?): | <p>This workshop explored issues regarding competition in the contact lens marketplace, consumer access to contact lenses, prescription release and portability, and related subjects. The workshop was held in conjunction with the Commission’s regulatory review of the Contact Lens Rule. The Rule, which had been in place since August 2004, helps to promote competition in the retail sale of contact lenses by facilitating consumers’ ability to comparison shop for contact lenses. It imposes obligations on both eye-care prescribers and contact lens sellers.</p> <p>Topics discussed at the workshop included:</p> <ul style="list-style-type: none"> • Consumers’ ability to comparison shop for contact lenses; • The use of electronic health records, patient portals, and other technology to improve prescription portability; • The interaction between the Contact Lens Rule and emerging telehealth business models; • The potential for new technology to improve the prescription verification process; and • Potential modifications to the Rule to foster competition and maximize consumer benefits, including benefits to eye health. <p>FTC sought public comments in advance of and following the workshop.</p> | | | | | | | | | | | |

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| Link to report: | https://www.ftc.gov/news-events/events-calendar/2018/03/contact-lens-rule-evolving-contact-lens-marketplace |
| Remarks (if any): | The workshop was held in conjunction with the Commission's regulatory review of the Contact Lens Rule. A Notice of Proposed Rulemaking (NRPM) was issued in December 2016 announcing proposed changes to the Commission's Contact Lens Rule. |

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| Jurisdiction: | Italy | Range of Possible Outcomes | | | | | | | | | | |
| Market: | Vaccines for human use | | | | | | | | | | | |
| End Date: | Ongoing | Competition Enforcement <input type="checkbox"/> | Consumer Enforcement <input type="checkbox"/> | Consumer Education <input type="checkbox"/> | Business Education <input type="checkbox"/> | Voluntary Business Compliance <input type="checkbox"/> | Voluntary Business Action <input type="checkbox"/> | Recommendations to Government for Changes in the Law <input checked="" type="checkbox"/> | Recommendations to Government to Change Market Structure <input type="checkbox"/> | Recommendations for Changes to Government Policy <input checked="" type="checkbox"/> | Referral to Third Parties <input type="checkbox"/> | No Problems Found <input type="checkbox"/> |
| Duration: | 5 months (as of November 2015) | | | | | | | | | | | |
| Source of idea for study: | The enduring demand fragmentation in the market. | | | | | | | | | | | |
| Outcome (tick relevant columns): | | | | | | | | | | | | |
| Reason for study (what were the problems)? | The survey aims at investigating the market dynamics and the competitive concerns related to the market of vaccines for human use and analysing the possible critical issues regarding public tender procedures. | | | | | | | | | | | |
| Link to report: | http://www.agcm.it/en/newsroom/press-releases/2222-ic50-sector-inquiry-on-vaccines-for-human-use.html | | | | | | | | | | | |

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| Jurisdiction: | US - FTC | Range of Possible Outcomes | | | | | | | | | | |
| Market: | Pharmaceutical products | | | | | | | | | | | |
| End Date: | Annual | Competition Enforcement <input type="checkbox"/> | Consumer Enforcement <input type="checkbox"/> | Consumer Education <input type="checkbox"/> | Business Education <input type="checkbox"/> | Voluntary Business Compliance <input type="checkbox"/> | Voluntary Business Action <input type="checkbox"/> | Recommendations to Government for Changes in the Law <input type="checkbox"/> | Recommendations to Government to Change Market Structure <input type="checkbox"/> | Recommendations for Changes to Government Policy <input type="checkbox"/> | Referral to Third Parties <input type="checkbox"/> | No Problems Found <input type="checkbox"/> |
| Duration: | Various | | | | | | | | | | | |
| Source of idea for study: | FTC initiative and statutory requirement by Congress | | | | | | | | | | | |
| Outcome (tick relevant columns): | | | | | | | | | | | | |
| Reason for study (what were the problems)? | The Medicare Prescription Drug, Improvement, and Modernization Act of 2003 requires that brand-name drug manufacturers and generic drug applicants file certain agreements with the FTC and the Department of Justice. Based on the information filed, the FTC has developed a series of annual reports that summarize the number and types of agreements filed. The annual reports identify the number of agreements that constitute final resolutions of patent disputes between brand and generic pharmaceutical manufacturers that have been filed by pharmaceutical companies. A preliminary assessment summarizes the types of final settlements received in each fiscal year and describes how the results compare to filings in other recent years. | | | | | | | | | | | |
| Link to report: | https://www.ftc.gov/tips-advice/competition-guidance/industry-guidance/health-care/pharmaceutical-agreement-filings | | | | | | | | | | | |

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| Jurisdiction: | Brazil | Range of Possible Outcomes | | | | | | | | | | |
| Market: | Collective bargaining involving medical services | | | | | | | | | | | |
| End Date: | 2015 | Competition Enforcement | Consumer Enforcement | Consumer Education | Business Education | Voluntary Business Compliance | Voluntary Business Action | Recommendations to Government for Changes in the Law | Recommendations to Government to Change Market Structure | Recommendations for Changes to Government Policy | Referral to Third Parties | No Problems Found |
| Duration: | 6 months | | | | | | | | | | | |
| Source of idea for study: | Own initiative | | | | | | | | | | | |
| Outcome (tick relevant columns): | | √ | <input type="checkbox"/> | √ | √ | √ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Reason for study (what were the problems)? | This published analysis consolidated, systematized and disseminated CADE's jurisprudence on collective bargaining involving medical services. | | | | | | | | | | | |
| Link to report: | http://www.cade.gov.br/upload/Cadernos%20do%20Cade%20%E2%80%93%20Mercado%20de%20Sa%C3%BAde%20Suplementar%20Condi%C3%A7%C3%B5es%20de%20Atividade%20Profissional%20de%20Sa%C3%BAde%20Suplementar%20Condutas%20%E2%80%93%202015.pdf | | | | | | | | | | | |

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| Jurisdiction: | US - DOJ | | | | | | | | | | | |
| Market: | Multiple provider and insurance markets | Range of Possible Outcomes | | | | | | | | | | |
| End Date: | February 2015 | Competition Enforcement | Consumer Enforcement | Consumer Education | Business Education | Voluntary Business Compliance | Voluntary Business Action | Recommendations to Government for Changes in the Law | Recommendations to Government to Change Market Structure | Recommendations for Changes to Government Policy | Referral to Third Parties | No Problems Found |
| Duration: | 2-day workshop | | | | | | | | | | | |
| Source of idea for study: | Agency recognition of changing marketplace | | | | | | | | | | | |
| Outcome (tick relevant columns): | | √ | ☐ | √ | √ | ☐ | ☐ | ☐ | ☐ | ☐ | ☐ | ☐ |
| Reason for study (what were the problems)? | <p>The Antitrust Division of the Department of Justice and the Federal Trade Commission (the Agencies) held a public workshop, “Examining Health Care Competition,” to study developments related to health care provider organization and payment models that may affect competition in the provision of health care services. Topics of discussion included early observations of accountable care organizations, alternatives to traditional fee-for-service payment model, trends in provider consolidation, trends in provider network and benefit design strategies, as well as contracting practices and regulatory activity that may enhance or undermine these strategies, and early observations of health insurance exchanges. The Agencies have not issued a report, but have made the transcript of and the video of the workshop available to the public at the following web site.</p> | | | | | | | | | | | |
| Link to report: | http://www.justice.gov/atr/events/public-workshop-examining-health-care-competition | | | | | | | | | | | |



ADVOCACY WORKING GROUP
MARKET STUDIES PROJECT

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|---|---|-----------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------|---------------------------|--|--|---|---------------------------|--------------------------|
| Jurisdiction: | US - FTC | | | | | | | | | | | |
| Market: | Healthcare services | Range of Possible Outcomes | | | | | | | | | | |
| End Date: | March 2014 February 2015 | Competition Enforcement | Consumer Enforcement | Consumer Education | Business Education | Voluntary Business Compliance | Voluntary Business Action | Recommendations to Government for Changes in the Law | Recommendations to Government to Change Market Structure | Recommendations for Government Changes to Government Policy | Referral to Third Parties | No Problems Found |
| Duration: | Two 2-day workshops | | | | | | | | | | | |
| Source of idea for study: | FTC and DOJ experience | | | | | | | | | | | |
| Outcome (tick relevant columns): | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Reason for study (what were the problems)? | Workshop: Examining Health Care Competition. The FTC and DOJ jointly held two public workshops entitled "Examining Health Care Competition." The workshops focused on certain activities and trends that may affect competition in the evolving health care industry, including those related to: professional regulation of health care providers; innovations in health care delivery; advancements in health care technology; measuring and assessing health care quality; price transparency of health care services; alternatives to the traditional fee-for service payment model; and early observations regarding health insurance exchanges. | | | | | | | | | | | |
| Link to report: | 2014 Workshop transcript, video, an agenda, and additional event-related materials are available at: http://www.ftc.gov/news-events/events-calendar/2014/03/examining-health-care-competition 2015 Workshop transcript, video, an agenda, and additional event-related materials are available at: https://www.ftc.gov/news-events/events-calendar/2015/02/examining-health-care-competition | | | | | | | | | | | |

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| Jurisdiction: | Sweden | | | | | | | | | | | |
| Market: | System of choice of primary healthcare provider | Range of Possible Outcomes | | | | | | | | | | |
| End Date: | December 2014 | | | | | | | | | | | |
| Duration: | 16 months (the government commission was extended and expanded in February 2014) | Competition Enforcement | Consumer Enforcement | Consumer Education | Business Education | Voluntary Business Compliance | Voluntary Business Action | Recommendations to Government for Changes in the Law | Recommendations to Government to Change Market Structure | Recommendations for Changes to Government Policy | Referral to Third Parties | No Problems Found |
| Source of idea for study: | Government commissioned report | | | | | | | | | | | |
| Outcome (tick relevant columns): | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Reason for study (what were the problems)? | To monitor county councils' work with the system of choice of healthcare providers from a competition perspective and assess the conditions for competition on quality between primary healthcare providers. Also to assess how the way the compensation system is formed affects the development of the provider's operations. (Based on the Act on System of Choice in the Public Sector which provides for a contracting authority to open parts of its activities for competition, by establishing a system of choice for the services covered by the system) | | | | | | | | | | | |
| Link to report: | http://www.konkurrensverket.se/globalassets/publikationer/rapporter/rapport_2014-2.pdf (in Swedish) | | | | | | | | | | | |

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| Jurisdiction: | Estonia | Range of Possible Outcomes | | | | | | | | | | | |
| Market: | Rehabilitation service | | | | | | | | | | | | |
| End Date: | April 2014 | <table border="1"> <tr> <td>Competition Enforcement</td> <td>Consumer Enforcement</td> <td>Consumer Education</td> <td>Business Education</td> <td>Voluntary Business Compliance</td> <td>Voluntary Business Action</td> <td>Recommendations to Government for Changes in the Law</td> <td>Recommendations to Government to Change Market Structure</td> <td>Recommendations for Changes to Government Policy</td> <td>Referral to Third Parties</td> <td>No Problems Found</td> </tr> </table> | Competition Enforcement | Consumer Enforcement | Consumer Education | Business Education | Voluntary Business Compliance | Voluntary Business Action | Recommendations to Government for Changes in the Law | Recommendations to Government to Change Market Structure | Recommendations for Changes to Government Policy | Referral to Third Parties | No Problems Found |
| Competition Enforcement | Consumer Enforcement | | Consumer Education | Business Education | Voluntary Business Compliance | Voluntary Business Action | Recommendations to Government for Changes in the Law | Recommendations to Government to Change Market Structure | Recommendations for Changes to Government Policy | Referral to Third Parties | No Problems Found | | |
| Duration: | 4 months | | | | | | | | | | | | |
| Source of idea for study: | Public resources, market participants | | | | | | | | | | | | |
| Outcome (tick relevant columns): | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | | |
| Reason for study (what were the problems)? | Estonian Health Insurance Fund prefers to finance the medical services provided by hospitals referred to the development plan of hospital network. Such practice leads to the competitive disadvantage for other health care providers operating on this field. | | | | | | | | | | | | |
| Link to report: | | | | | | | | | | | | | |



ADVOCACY WORKING GROUP
MARKET STUDIES PROJECT

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| Jurisdiction: | US - FTC | | | | | | | | | | | |
| Market: | Nurses | Range of Possible Outcomes | | | | | | | | | | |
| End Date: | March 2014 | Competition Enforcement Consumer Enforcement Consumer Education Business Education Voluntary Business Compliance Voluntary Business Action Recommendations to Government for Changes in the Law Recommendations to Government to Change Market Structure Recommendations for Changes to Government Policy Referral to Third Parties No Problems Found | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Duration: | | | | | | | | | | | | |
| Source of idea for study: | FTC experience | | | | | | | | | | | |
| Outcome (tick relevant columns): | | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Reason for study (what were the problems)? | <p>Policy Perspectives: Competition and the Regulation of Advanced Practice Nurses. FTC staff issued a policy paper* suggesting that state legislators should be cautious when evaluating proposals to limit the scope of practice of Advanced Practice Registered Nurses (APRNs). By limiting the range of services APRNs may provide and the extent to which they can practice independently, such proposals may reduce competition that benefits consumers, the paper states. The policy paper notes the potential benefits of improved competition in the provision of primary health care services. The policy paper sets forth recommended principles for evaluating APRN scope of practice proposals. As the policy paper states, "Numerous expert health care policy organizations have concluded that expanded APRN scope of practice should be a key component of our nation's strategy to deliver effective health care efficiently and, in particular, to fill gaps in primary care access. Based on our extensive knowledge of health care markets, economic principles, and competition theory, the FTC staff reach the same conclusion: expanded APRN scope of practice is good for competition and American consumers."</p> <p>*A policy paper is longer, more deeply researched, and more detailed in its analysis than a typical staff advocacy comment, but shorter and more focused than most FTC reports. It provides another mechanism for FTC staff to share our expertise and learning, outside the context of a specific legislative or regulatory proposal. A concise policy paper enables us to synthesize previous agency study, related advocacy comments, pertinent outside research, and ongoing analytical work by FTC staff</p> | | | | | | | | | | | |
| Link to report: | https://www.ftc.gov/reports/policy-perspectives-competition-regulation-advanced-practice-nurses | | | | | | | | | | | |

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| Jurisdiction: | Sweden | | | | | | | | | | | |
| Market: | Dental care | Range of Possible Outcomes | | | | | | | | | | |
| End Date: | December 2013 | Competition Enforcement | Consumer Enforcement | Consumer Education | Business Education | Voluntary Business Compliance | Voluntary Business Action | Recommendations to Government for Changes in the Law | Recommendations to Government to Change Market Structure | Recommendations for Changes to Government Policy | Referral to Third Parties | No Problems Found |
| Duration: | 12 months | | | | | | | | | | | |
| Source of idea for study: | Part of government commissioned report into competition conditions in Sweden in key focus areas. Topics for study were selected by the SCA. | | | | | | | | | | | |
| Outcome (tick relevant columns): | | | | | | | | | | | | |
| Reason for study (what were the problems)? | Competition in the market for dental care for adults is weak, there is scope for increased competition in this market. A fundamental problem is patients' weak position with respect to their dentist, due to information asymmetries and limited possibilities to easily compare prices and quality between different dental care providers. It is very likely that this contributes to the low patient mobility that can be observed in the market, where patients rarely change dentists. In addition, awareness of the public dental insurance scheme is low. The scheme subsidises a part of the cost of more comprehensive and costly treatments. This means that patients only pay a part of the treatment costs themselves, and that the Swedish Social Insurance Agency reimburses the dentist with the remainder of the cost. | | | | | | | | | | | |
| Link to report: | http://www.konkurrensverket.se/globalassets/publikationer/rapporter/rapport_2013-10_summary.pdf (English summary of report and recommendations) | | | | | | | | | | | |

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| Jurisdiction: | Pakistan | | | | | | | | | | | |
| Market: | Private Sector Healthcare | Range of Possible Outcomes | | | | | | | | | | |
| End Date: | July, 2013 | Competition Enforcement | Consumer Enforcement | Consumer Education | Business Education | Voluntary Business Compliance | Voluntary Business Action | Recommendations to Government for Changes in the Law | Recommendations to Government to Change Market Structure | Recommendations for Changes to Government Policy | Referral to Third Parties | No Problems Found |
| Duration: | | | | | | | | | | | | |
| Source of idea for study: | Reference from the Govt. | | | | | | | | | | | |
| Outcome (tick relevant columns): | | | | | | | | | | | | |
| Reason for study (what were the problems)? | The aim of the research was to provide information about performance of private healthcare sector with respect to cost and customers' satisfaction. This Report focused on competition issues comprising market dominance, deceptive marketing, tying practices, market entry and regulation of the sector. | | | | | | | | | | | |
| Link to report: | http://cc.gov.pk/images/Downloads/research_and_publications/private_health_care_competition_assessment.pdf | | | | | | | | | | | |

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| Jurisdiction: | Colombia | Range of Possible Outcomes | | | | | | | | | |
| Market: | Supply of Vacancies for Medical Specialities in Colombia | | | | | | | | | | |
| End Date: | 2013 | Competition Enforcement Consumer Enforcement Consumer Education Business Education Voluntary Business Compliance Voluntary Business Action Recommendations to Government for Changes in the Law Recommendations to Government to Change Market Structure Recommendations for Changes to Government Policy Referral to Third Parties No Problems Found | | | | | | | | | |
| Duration: | 4 months | | | | | | | | | | |
| Source of idea for study: | Own initiative | | | | | | | | | | |
| Outcome (tick relevant columns): | | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Reason for study (what were the problems)? | In Colombia there is a shortage of medical specialists. Given that there are 56 medical schools in the country qualified to offer specialities courses, the purpose of this study is to identify whether there are regulatory barriers that explain this phenomenon. | | | | | | | | | | |
| Link to report: | http://www.sic.gov.co/drupal/sites/default/files/files/Estudio_Sectorial_Medicos.pdf | | | | | | | | | | |

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| Jurisdiction: | Sweden | Range of Possible Outcomes | | | | | | | | | |
| Market: | Laboratory services to primary healthcare providers | | | | | | | | | | |
| End Date: | July 2012 | Competition Enforcement Consumer Enforcement Consumer Education Business Education Voluntary Business Compliance Voluntary Business Action Recommendations to Government for Changes in the Law Recommendations to Government to Change Market Structure Recommendations for Changes to Government Policy Referral to Third Parties No Problems Found | | | | | | | | | |
| Duration: | 16 months | | | | | | | | | | |
| Source of idea for study: | Own initiative | | | | | | | | | | |
| Outcome (tick relevant columns): | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Reason for study (what were the problems)? | To analyse the market for a number of common laboratory analyses ordered by primary healthcare services within six county councils, using the price per unit for each analysis, and also the factors that play a role when prices are set. | | | | | | | | | | |
| Link to report: | http://www.konkurrensverket.se/globalassets/aktuellt/nyheter/las-rapporten-14mb-2012-06-07.pdf (in Swedish with English summary) | | | | | | | | | | |

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| Jurisdiction: | Colombia | Range of Possible Outcomes | | | | | | | | | | |
| Market: | Health Insurance market in Colombia | | | | | | | | | | | |
| End Date: | 2012 | | | | | | | | | | | |
| Duration: | 6 months | | | | | | | | | | | |
| Source of idea for study: | Own initiative in cooperation with the European Union: Technical Assistance Project for Commerce in Colombia | Competition Enforcement | Consumer Enforcement | Consumer Education | Business Education | Voluntary Business Compliance | Voluntary Business Action | Recommendations to Government for Changes in the Law | Recommendations to Government to Change Market Structure | Recommendations for Changes to Government Policy | Referral to Third Parties | No Problems Found |
| Outcome (tick relevant columns): | | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Reason for study (what were the problems)? | Analysis of market failures in health insurances in Colombia and the interventions made by the Superintendence of Industry and Commerce in those issues. Due to the existence of failures, the market on health insurances is highly concentrated at a departmental level and there is an evident dominant position. | | | | | | | | | | | |
| Link to report: | http://www.sic.gov.co/drupal/masive/datos/estudios%20economicos/Documentos%20%20elaborados%20por%20la%20Delegatura%20de%20Protecci%C3%B3n%20de%20la%20Competencia/2012/AS%202013.pdf | | | | | | | | | | | |

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| Jurisdiction: | Sweden | Range of Possible Outcomes | | | | | | | | | | |
| Market: | Choice of primary healthcare provider | | | | | | | | | | | |
| End Date: | February 2012 | | | | | | | | | | | |
| Duration: | 12 months | | | | | | | | | | | |
| Source of idea for study: | Government commissioned report | Competition Enforcement | Consumer Enforcement | Consumer Education | Business Education | Voluntary Business Compliance | Voluntary Business Action | Recommendations to Government for Changes in the Law | Recommendations to Government to Change Market Structure | Recommendations for Changes to Government Policy | Referral to Third Parties | No Problems Found |
| Outcome (tick relevant columns): | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Reason for study (what were the problems)? | To analyse the development of diversity within primary healthcare and to analyse the preconditions for competition on quality within the system of choice in the healthcare sector. (Based on the Act on System of Choice in the Public Sector, which applies when a contracting authority opens parts of its activities for competition, by establishing a system of choice for the services covered by the system.) | | | | | | | | | | | |
| Link to report: | http://www.konkurrensverket.se/globalassets/aktuellt/nyheter/rappor-val-av-vardcentral---forutsattningar-for-kvalitetskonkurrens-i-vardvalssystemen-17mb.pdf (in Swedish with English summary) | | | | | | | | | | | |

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| Jurisdiction: | US - FTC | Range of Possible Outcomes | | | | | | | | | |
| Market: | Accountable Care Organizations | | | | | | | | | | |
| End Date: | October 2010 May 2011 | Competition Enforcement Consumer Enforcement Consumer Education Business Education Voluntary Business Compliance Voluntary Business Action Recommendations to Government for Changes in the Law Recommendations to Government to Change Market Structure Recommendations for Changes to Government Policy Referral to Third Parties No Problems Found | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Duration: | Two 1-day workshops | | | | | | | | | | |
| Source of idea for study: | FTC experience | | | | | | | | | | |
| Outcome (tick relevant columns): | | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Reason for study (what were the problems)? | <p>Workshop Regarding Accountable Care Organizations and Implications Regarding Antitrust, Physician Self-Referral, Anti-Kickback and Civil Monetary Penalty Laws. In 2010, the FTC, the Centers for Medicare & Medicaid Services and DHHS co-hosted a workshop on several issues associated with Accountable Care Organizations (ACOs), organizations authorized by the Affordable Care Act of 2010 that seek to deliver high-quality and efficient health care services to consumers. The workshop addressed and sought public comments on the legal issues raised by various ACO models being considered by health care providers.</p> <p>In 2011, FTC hosted a workshop, "Another Dose of Competition: Accountable Care Organizations and Antitrust," to seek input on the FTC's Proposed Statement of Antitrust Enforcement Policy, which discusses how the federal antitrust agencies will enforce U.S. antitrust laws when competing health care providers create new ACOs under the Affordable Care Act of 2010.</p> | | | | | | | | | | |
| Link to report: | 2010 workshop: http://www.ftc.gov/opp/workshops/aco/index.shtml 2011 workshop: http://www.ftc.gov/opp/workshops/aco2/index.shtml | | | | | | | | | | |

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| Jurisdiction: | Estonia | Range of Possible Outcomes | | | | | | | | | |
| Market: | Dental care service | | | | | | | | | | |
| End Date: | April 2011 | Competition Enforcement Consumer Enforcement Consumer Education Business Education Voluntary Business Compliance Voluntary Business Action Recommendations to Government for Changes in the Law Recommendations to Government to Change Market Structure Recommendations for Changes to Government Policy Referral to Third Parties No Problems Found | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Duration: | 2 months | | | | | | | | | | |
| Source of idea for study: | Public resources | | | | | | | | | | |
| Outcome (tick relevant columns): | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Reason for study (what were the problems)? | Existing dental care advertising ban is a significant barrier to free competition. It is doubtful whether this restriction is based on the public interest and proportionate means to achieve the objectives. | | | | | | | | | | |
| Link to report: | | | | | | | | | | | |

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| Jurisdiction: | Sweden | Range of Possible Outcomes | | | | | | | | | |
| Market: | Pharmacy market | | | | | | | | | | |
| End Date: | December 2010 | | | | | | | | | | |
| Duration: | 31 Months (The initial government commission was for a period of 19 months, but was extended to allow time for the re-regulated market to be properly established). | | | | | | | | | | |
| Source of idea for study: | Government commissioned report | | | | | | | | | | |
| Outcome (tick relevant columns): | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Reason for study (what were the problems)? | The Swedish Competition Authority was assigned by the Government to monitor and analyse the deregulation of the pharmacy market from a competition perspective. | | | | | | | | | | |
| Link to report: | http://www.konkurrensverket.se/globalassets/aktuellt/nyheter/omregleringen-av-apoteksmarknaden.pdf (In Swedish with summary in English) | | | | | | | | | | |

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| Jurisdiction: | Sweden | Range of Possible Outcomes | | | | | | | | | |
| Market: | System of choice of primary healthcare provider | | | | | | | | | | |
| End Date: | November 2010 | | | | | | | | | | |
| Duration: | 18 Months to final report (interim reports delivered in December 2009 and May 2010). | | | | | | | | | | |
| Source of idea for study: | Government commissioned report | | | | | | | | | | |
| Outcome (tick relevant columns): | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Reason for study (what were the problems)? | To monitor and evaluate county councils' introduction of a system of choice for healthcare provider from a competition perspective. (Based on the Act on System of Choice in the Public Sector introduced in 2010, which applies when a contracting authority opens parts of its activities for competition, by establishing a system of choice for the services covered by the system.) | | | | | | | | | | |
| Link to report: | http://www.konkurrensverket.se/publikationer/uppfoljning-av-varldval-i-primarvarden.-valfrihet-mangfald-och-etableringsforutsattningar.-slutrapport/ (In Swedish) | | | | | | | | | | |

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| Jurisdiction: | EU Commission | | | | | | | | | | | | |
| Market: | pharmaceuticals | Range of Possible Outcomes | | | | | | | | | | | |
| End Date: | July 2009 | Competition Enforcement Consumer Enforcement Consumer Education Business Education Voluntary Business Compliance Voluntary Business Action Recommendations to Government for Changes in the Law Recommendations to Government to Change Market Structure Recommendations for Changes to Government Policy Referral to Third Parties No Problems Found | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Duration: | 1.5 year | | | | | | | | | | | | |
| Source of idea for study: | Ex officio | | | | | | | | | | | | |
| Outcome (tick relevant columns): | | | | | | | | | | | | | |
| Reason for study (what were the problems)? | Response to indications that competition in Europe's pharmaceuticals markets may not be working well: fewer new medicines were being brought to market, and the entry of generic medicines sometimes seemed to be delayed. The inquiry looked at the reasons for this | | | | | | | | | | | | |
| Link to report: | http://ec.europa.eu/competition/sectors/pharmaceuticals/inquiry/index.html | | | | | | | | | | | | |

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| Jurisdiction: | Honduras | | | | | | | | | | | | |
| Market: | Private specialist goods and services in Health Sector | Range of Possible Outcomes | | | | | | | | | | | |
| End Date: | February 2009 | Competition Enforcement Consumer Enforcement Consumer Education Business Education Voluntary Business Compliance Voluntary Business Action Recommendations to Government for Changes in the Law Recommendations to Government to Change Market Structure Recommendations for Changes to Government Policy Referral to Third Parties No Problems Found | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Duration: | 7 months | | | | | | | | | | | | |
| Source of idea for study: | Internal | | | | | | | | | | | | |
| Outcome (tick relevant columns): | | | | | | | | | | | | | |
| Reason for study (what were the problems)? | To look into allegations/perception of corruption in relation to the supply of goods and services to the government. | | | | | | | | | | | | |
| Link to report: | | | | | | | | | | | | | |

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| Jurisdiction: | US - FTC | | | | | | | | | | | |
| Market: | Physician Services | Range of Possible Outcomes | | | | | | | | | | |
| End Date: | May 2008 | Competition Enforcement Consumer Enforcement Consumer Education Business Education Voluntary Business Compliance Voluntary Business Action Recommendations to Government for Changes in the Law Recommendations to Government to Change Market Structure Recommendations for Changes to Government Policy Referral to Third Parties No Problems Found | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Duration: | 2 months | | | | | | | | | | | |
| Source of idea for study: | Bureau of Competition | | | | | | | | | | | |
| Outcome (tick relevant columns): | | | | | | | | | | | | |
| Reason for study (what were the problems)? | The workshop examined current activities aimed at fostering high quality, cost-effective care through collaborations among otherwise independent providers, including an examination of programs already operating as well as those in development. | | | | | | | | | | | |
| Link to report: | https://www.ftc.gov/news-events/events-calendar/2008/05/clinical-integration-health-care-check | | | | | | | | | | | |

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| Jurisdiction: | US - FTC | | | | | | | | | | | |
| Market: | Health Care Delivery | Range of Possible Outcomes | | | | | | | | | | |
| End Date: | 2008 | Competition Enforcement Consumer Enforcement Consumer Education Business Education Voluntary Business Compliance Voluntary Business Action Recommendations to Government for Changes in the Law Recommendations to Government to Change Market Structure Recommendations for Changes to Government Policy Referral to Third Parties No Problems Found | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Duration: | 3 months | | | | | | | | | | | |
| Source of idea for study: | Bureau of Competition | | | | | | | | | | | |
| Outcome (tick relevant columns): | | | | | | | | | | | | |
| Reason for study (what were the problems)? | The workshop examined the competition and consumer protection issues regarding particular health care delivery innovations. The workshop focused on the following areas: limited services clinics, price and quality transparency, and health information technology. | | | | | | | | | | | |
| Link to report: | https://www.ftc.gov/news-events/events-calendar/2008/04/innovations-health-care-delivery | | | | | | | | | | | |

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| Jurisdiction: | Norway | Range of Possible Outcomes | | | | | | | | | | |
| Market: | Specialist health care | | | | | | | | | | | |
| End Date: | 2006 | Competition Enforcement | Consumer Enforcement | Consumer Education | Business Education | Voluntary Business Compliance | Voluntary Business Action | Recommendations to Government for Changes in the Law | Recommendations to Government to Change Market Structure | Recommendations for Changes to Government Policy | Referral to Third Parties | No Problems Found |
| Duration: | 10 months | | | | | | | | | | | |
| Source of idea for study: | Commissioned report by the NCA | | | | | | | | | | | |
| Outcome (tick relevant columns): | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Reason for study (what were the problems)? | A commissioned report focusing on competition in the Norwegian specialist health care sector, concluding i.e. that waiting times and quality can be improved if public hospitals have to compete for patients. Important conditions for this are free patient choice and sufficiently high 'voucher' value for the specific treatment. | | | | | | | | | | | |
| Link to report: | | | | | | | | | | | | |

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| Jurisdiction: | Japan | Range of Possible Outcomes | | | | | | | | | | |
| Market: | Medical Equipment Distribution | | | | | | | | | | | |
| End Date: | December 2005 | Competition Enforcement | Consumer Enforcement | Consumer Education | Business Education | Voluntary Business Compliance | Voluntary Business Action | Recommendations to Government for Changes in the Law | Recommendations to Government to Change Market Structure | Recommendations for Changes to Government Policy | Referral to Third Parties | No Problems Found |
| Duration: | 5 months | | | | | | | | | | | |
| Source of idea for study: | -External complaints and internal competition concern -Difference between domestic and foreign prices -Follow up of 1997 survey | | | | | | | | | | | |
| Outcome (tick relevant columns): | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Reason for study (what were the problems)? | It had been pointed out that there had been differences between domestic and foreign prices of medical equipment and that the reasons for this were the trade practice and the corporate behaviour in the distribution. It was pointed out that the trade practice and corporate behaviour might have changed after the medical service reform, so JFTC checked whether they had really changed. | | | | | | | | | | | |
| Link to report: | (Press release and full report in Japanese) http://warp.ndl.go.jp/info:ndljp/pid/3483403/www.jftc.go.jp/pressrelease/05.december/05122703.html (Summary report in English) http://www.jftc.go.jp/en/pressreleases/yearly_2005/dec/2005_dec_27.files/2005-Dec-27.pdf | | | | | | | | | | | |

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| Jurisdiction: | US - FTC | | | | | | | | | | | |
| Market: | Contact Lenses | Range of Possible Outcomes | | | | | | | | | | |
| End Date: | February 2005 | Competition Enforcement | Consumer Enforcement | Consumer Education | Business Education | Voluntary Business Compliance | Voluntary Business Action | Recommendations to Government for Changes in the Law | Recommendations to Government to Change Market Structure | Recommendations for Changes to Government Policy | Referral to Third Parties | No Problems Found |
| Duration: | 1 year | | | | | | | | | | | |
| Source of idea for study: | Congress | | | | | | | | | | | |
| Outcome (tick relevant columns): | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Reason for study (what were the problems)? | At the request of Congress, the FTC studied the online and offline markets for contact lenses. The study investigated the degree to which certain marketing practices may retard online sellers, and resulted in recommendations for change to government policy. | | | | | | | | | | | |
| Link to report: | https://www.ftc.gov/reports/strength-competition-sale-rx-contact-lenses-ftc-study | | | | | | | | | | | |

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| Jurisdiction: | US - DOJ | | | | | | | | | | | |
| Market: | Health Care | Range of Possible Outcomes | | | | | | | | | | |
| End Date: | July 2004 | Competition Enforcement | Consumer Enforcement | Consumer Education | Business Education | Voluntary Business Compliance | Voluntary Business Action | Recommendations to Government for Changes in the Law | Recommendations to Government to Change Market Structure | Recommendations for Changes to Government Policy | Referral to Third Parties | No Problems Found |
| Duration: | 17 months | | | | | | | | | | | |
| Source of idea for study: | | | | | | | | | | | | |
| Outcome (tick relevant columns): | | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Reason for study (what were the problems)? | The study addresses the role of competition in health care, how it can be enhanced to increase consumer welfare and how antitrust enforcement can protect existing and potential competition in health care. | | | | | | | | | | | |
| Link to report: | http://www.justice.gov/atr/public/health_care/204694.htm | | | | | | | | | | | |