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English - Or. English

29 August 2025

**DIRECTORATE FOR FINANCIAL AND ENTERPRISE AFFAIRS
COMPETITION COMMITTEE**

Global Forum on Competition

COMPETITION IN THE HEALTHCARE SECTOR

Session II – Call for country contributions

1 December 2025

This document is a call for country contributions for Session II of the Global Forum on Competition to be held on 1-2 December 2025. GFC participants are invited to submit their written contributions by 24 October 2025 at the latest.

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JT03570263

TO ALL GLOBAL FORUM PARTICIPANTS

Re: Roundtable on “Competition in the Healthcare Sector”

24th Global Forum on Competition (1-2 December 2025)

Dear GFC Participant,

This year, the [Global Forum Competition](#) (GFC) will hold a session on Competition in the Healthcare Sector. This letter provides background on the topic and invites written submissions to the plenary and two break-out sessions from agencies with relevant experience in this area.

Healthcare is a key sector in the global economy. According to OECD projections, health spending in OECD countries could reach 11.8% of GDP by 2040, up from 9.7% in 2022.¹ While the health and social care workforce continues to expand, and the market rapidly evolves due to innovation and digital developments,² addressing potential concerns about market failures across the healthcare value chain is becoming increasingly urgent.

The OECD Competition Committee has discussed market dynamics and competition in the healthcare sector on multiple occasions. This includes a 2014 Policy Paper on [Competition Issues in the Distribution of Pharmaceuticals](#), a 2015 Policy Paper on [Competition and Generic Pharmaceuticals](#) and, more recently, a 2024 Policy Paper on [Competition and Regulation in the Care Industry](#). The OECD Health Committee has also produced relevant work on the topic, such as a 2023 Working Paper on [Enhancing competition in on-patent markets](#), and a 2025 Policy Paper on [Trends in the financialisation of outpatient care across OECD countries](#), which reflects competition authorities’ perspectives on consolidation in healthcare sub-sectors. These reports underscore the critical role of competition in ensuring that patients have access to affordable, high-quality medical products and services. Similarly, other international organizations such as the UN have drawn attention to the utility of competition law in healthcare as a tool to facilitate and promote access to health technologies and medicines.³ Despite these efforts, continued dialogue on evolving market trends remains essential to support the role of competition authorities in addressing existing and potential challenges across the healthcare value chain. In recent years, these challenges may have increased: competition authorities have faced a growing number of high-profile enforcement concerning mergers and consolidation among hospitals, pharmaceutical companies, and medical device manufacturers;⁴ authorities are increasingly examining anticompetitive practices linked to pricing strategies and market power in both on-patent and generic medicines;⁵ digitalisation and the rise of telemedicine

¹ OECD (2024), *Fiscal Sustainability of Health Systems: How to Finance More Resilient Health Systems When Money Is Tight?*, <https://doi.org/10.1787/880f3195-en>.

² OECD (2023), *Health at a Glance 2023: OECD Indicators*, OECD Publishing, Paris, <https://doi.org/10.1787/7a7afb35-en>.

³ UNDP (2022). *Using competition law to promote access to health technologies: A supplement to the Guidebook for low- and middle-income countries*. New York, NY: UNDP.

⁴ European Commission (2024), *Report from the Commission to the Council of the European Parliament, Competition Enforcement in the Pharmaceutical Sector, European Competition authorities working together for affordable and innovative medicines*, doi:10.2763/427709.

⁵ OECD (2023), *Health at a Glance 2023: OECD Indicators*, OECD Publishing, Paris, <https://doi.org/10.1787/7a7afb35-en>.

raise new questions about data use and platform dynamics;⁶ and the financialisation of healthcare services has triggered concerns about long-term affordability and quality.⁷ At the same time, in addition to enforcing competition laws, competition authorities are increasingly being asked to contribute their expertise to wider regulatory and policy debates on healthcare systems. Against this background and given that the Global Forum has not recently hosted a dedicated discussion on this subject, a renewed exchange of experiences appears to be both timely and necessary.

The GFC session will be organised in two parts. The first one will be a plenary session, which will offer an opportunity to examine the evolving role of competition authorities in shaping accessible healthcare markets, including how their work can extend beyond enforcement to advocacy and co-operation with other regulators. Potential sub-topics in this session may include market power in consolidated, fragmented and mixed healthcare systems as well as competition risks in healthcare provision and insurance.

The second part will consist of two break-out sessions. These sessions will go more into details, exploring potential risks across the pharmaceutical value chain, such as pricing strategies, intellectual property and vertical integration, while also considering broader concerns beyond pricing, particularly related to access, quality, and equity in healthcare systems. A review of relevant experience and practical cases from a wide range of jurisdictions will be essential for the discussion.

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The quality and utility of this session will be greatly strengthened by written contributions. In order to assist you with the preparation of your contribution, the Annex includes a suggested bibliography and a number of questions on which you may wish to focus. The list in the Annex is not exhaustive, and you are encouraged to raise and address other issues in your submissions and during the discussion. We also strongly encourage you to discuss and comment on your relevant enforcement experience in this area.

The OECD webpage for this session will be the primary vehicle for conveying documentation and related links on this subject (see the GFC website: <https://www.oecd.org/en/events/2025/12/global-forum-on-competition-2025.html>). Unless explicitly requested not to do so, the Secretariat will reproduce all written contributions on the site.

In order to ensure an effective preparation of the plenary and break-out sessions, we would be grateful if you could let the Secretariat know by **19 September 2025** at the latest if you are planning to make a written contribution on the topic. Written submissions are due by **24 October 2025** and failure to meet this deadline may result in your contribution not being distributed to delegates via O.N.E. in a timely fashion in advance of the meeting.

All communications regarding the documentation for this session should be sent to Ms Angélique Servin (Angelique.Servin@oecd.org). Please address all substantive queries relating to this discussion to Ms Carmen Rubio (carmen.rubio@oecd.org) and Mr Giorgio Castaldo (giorgio.castaldo@oecd.org).

⁶ OECD (2023), *Health at a Glance 2023: OECD Indicators*, OECD Publishing, Paris, <https://doi.org/10.1787/7a7afb35-en>.

⁷ Suzuki, E. et al. (2025), "Trends in the financialisation of outpatient care across OECD countries: What do we know?", *OECD Health Working Papers*, No. 179, OECD Publishing, Paris, <https://doi.org/10.1787/f5d88b41-en>.

Annex - Suggested questions for consideration in the written contributions

24th Global Forum on Competition in the Healthcare Sector

This Annex provides a list of questions for consideration in preparing a written contribution for either the plenary or one of the breakout sessions. A contribution does not need to cover every listed question, and you may wish to address issues not listed here. You are encouraged to refer to relevant cases or initiatives where appropriate to illustrate your answers. Please prepare your contribution as an integrated essay rather than a list of answers to questions. You may wish to include an annex with short case references.

A. Plenary: The role of competition authorities in shaping accessible healthcare markets

- How do you see the current role and responsibilities of competition authorities in promoting accessible healthcare markets? In your view, how should this role evolve in the future?
- Beyond enforcement, what activities (such as market studies, advocacy, or inter-agency coordination) do you consider most important for competition authorities to focus on in the healthcare sector? Can you give examples of activities you have carried out and the challenges you have encountered?
- How can competition authorities best integrate technical expertise and co-operate with other regulators, national health providers or stakeholders to improve healthcare market outcomes?
- According to your practical experience, how does market power manifest differently in concentrated, fragmented and mixed public-private healthcare markets and what specific challenges may each distinct structure present for competition authorities.
- How are competition concerns evolving in the health insurance and payer segment and what tools have competition authorities used to assess potential harm to patients and providers.

B. Break-out session 1 - Beyond Price in Healthcare Markets: Access, Quality and Equity

- How can competition policy contribute to improving access to healthcare products and services beyond lowering prices?
- In what ways have competition authorities considered quality of care as a relevant factor in merger analysis or antitrust enforcement? Please provide practical examples from your jurisdiction.
- How can competition authorities co-operate with health regulators and other public and private stakeholders to ensure that enforcement and advocacy efforts support equitable and inclusive healthcare systems?
- What tools or methodologies can be used by competition authorities to assess non-price dimensions of healthcare markets e.g. access, quality and equity, notably when designing remedies or advocacy strategies?

C. Break-out session 2 - Competition Risks Across the Pharmaceutical Value Chain: Pricing, IP and Vertical Integration

- What legal, institutional, or methodological tools or reforms do you believe could enhance competition authorities' capacity to enforce competition law more effectively in the pharmaceutical sector?
- Have you co-operated with other government agencies or international organizations to strengthen competition law enforcement in the pharmaceutical sector? What factors have facilitated or hindered such co-operation to date?

- What potential challenges do you encounter when investigating pricing-related concerns, especially those involving emerging technologies such as AI or algorithmic pricing? How do these challenges influence your investigative approach? Could you provide examples of enforcement actions you have taken, and the lessons learned from those cases?
- How do you perceive the interplay between a potential competition law infringement and an IP law infringement in the pharmaceutical sector?
- How do you approach cases where IP and regulatory tools are used strategically to maintain high prices of medicines and limit market access to healthcare services? Could you share examples of actions taken and insights gained from these cases?
- What specific challenges arise when investigating vertical arrangements in the pharmaceutical sector that potentially create barriers for upstream or downstream competitors, and how do these challenges shape the strategies and tools you use in enforcement? Could you provide examples of enforcement actions and lessons learned?

Suggested bibliography

- OECD Policy Paper, [Competition in the Pharmaceutical Industry](#), 2001
- Improving Healthcare: A Dose of Competition, 2004
- OECD Policy Paper, [Enhancing Beneficial Competition in the Health Professions](#), 2005
- OECD Policy Paper, [Competition in Hospital Services](#), 2012
- OECD Policy Paper, [Competition Issues in the Distribution of Pharmaceuticals](#), 2014
- OECD Policy [Paper](#), [Competition and Generic Pharmaceuticals](#), 2015
- Designing Disruption in Pharmaceuticals, R. Feldman, 2021
- OECD Working Paper, [Enhancing competition in on-patent markets](#), 2023
- There is a trade-off between equity and quality of healthcare services, A. Peter, Former Member CCI, 2023
- OECD Policy Paper, Serial Acquisitions and Industry Roll-ups, 2023
- OECD Policy Paper, [Competition and Regulation in the Care Industry](#), 2024
- AI AND ANTITRUST: “THE ALGORITHM MADE ME DO IT” R. Feldman, C. A. Yuen, 2024
- Exploring the risks of fragmentation in healthcare markets – An analysis of impatient care in Georgia, M. Tvaliashvili, L. Sulaberidze, C. Goodman, K. Hanson, G. Gotsadze, 2024
- Anticompetitive healthcare, G. Day, 2024