

The duty of confidentiality – access to confidential net prices

Net prices are considered confidential information according to the Norwegian Public Administration Act.

It is the duty of any person rendering services to, or working for, an administrative agency, to prevent others from gaining access to confidential price information. Health personnel, pharmacists etc. are also under a duty of confidentiality, meaning that they are not allowed to disclose net price information.

The health regions have made guidelines that apply for health personnel in the health authorities, hospitals and pharmacies. Please find the guidelines here (only available in Norwegian):
<https://www.helse-sorost.no/nyheter/enhetspriser-for-helsepersonell-med-tjenstlig-behov>

The managing directors of the regional health authorities have endorsed the following principles on how to treat information about a pharmaceutical's net price:

- The hospitals are responsible for ensuring that all groups of employees, with a need for information on net prices, due to their profession, is given access to such information. The information shall be easily available.
- It is the responsibility of the health trusts to decide which groups of health personnel that have a professional need for price information and is therefore given access to the information. Health personnel with a professional need for price information is under a duty of confidentiality to not disclose or in other ways make price information publicly available.
- Health personnel or other personnel with a professional need for price information are only allowed to disclose price information to other employees in the health trusts with a professional need for price information.
- Health personnel can provide the patients with information about approximate price differences between different treatments. They are, however, not allowed to disclose information about net prices or the exact price difference between treatments. This is to avoid conflict with the duty of confidentiality.

The managing directors of the regional health authorities find it necessary to assess confidentiality throughout the life cycle of the pharmaceutical. The medical directors of the four regional health authorities are, with assistance from Sykehusinnkjøp HF, asked to initiate a dialogue with the suppliers in order to find good solutions for all parties.