Reference Pricing as a Deterrent to Entry Evidence from the European Pharmaceutical Market

Luca Maini<sup>1</sup>, Fabio Pammolli<sup>2</sup>

<sup>1</sup>University of North Carolina at Chapel Hill, <sup>2</sup>Politecnico di Milano

## Price regulation can affect access to drugs

#### Drug prices are strictly regulated in most countries

- US: prices are benchmarked to private market
- ► UK: prices tied to therapeutic value
- EU: gov't negotiates using external reference pricing (ERP)
  - Set price using prices of the same drug abroad as reference

# Price regulation can affect access to drugs

#### Drug prices are strictly regulated in most countries

- US: prices are benchmarked to private market
- ► UK: prices tied to therapeutic value
- EU: gov't negotiates using external reference pricing (ERP)
  - Set price using prices of the same drug abroad as reference

#### ERP affects access in potentially unexpected ways

- Linking prices across countries limits price-discrimination
- Firm may respond by delaying entry in low-income countries

# Price regulation can affect access to drugs

#### Drug prices are strictly regulated in most countries

- US: prices are benchmarked to private market
- ► UK: prices tied to therapeutic value
- EU: gov't negotiates using external reference pricing (ERP)
  - Set price using prices of the same drug abroad as reference

#### ERP affects access in potentially unexpected ways

- Linking prices across countries limits price-discrimination
- Firm may respond by delaying entry in low-income countries

#### How does ERP affect access to newly approved drugs?

This paper quantifies the impact of ERP in Europe

#### Overview of today's presentation

- 1. Launch delays in Europe: what models (don't) justify them?
- 2. ERP as a deterrent to entry: theory
- 3. Estimation of the impact of ERP in three parts:
  - Do countries actually follow ERP guidelines?
  - Are firms better off with delays?
  - ► How much would delays fall if ERP were removed?

Launch delays in Europe: what models (don't) justify them?

## Drug diffusion across Europe: 1 year after approval



## Drug diffusion across Europe: 2 years after approval



## Drug diffusion across Europe: 3 years after approval



# Drug diffusion across Europe: 4 years after approval



## Drug diffusion across Europe: 5 years after approval



# Many models predict delays...

1. Limited number of entry applications at the same time

2. Fixed costs of entry

3. Capacity constraints

# Many models predict delays...

- 1. Limited number of entry applications at the same time
  - Prioritize highest revenue, not highest price
- 2. Fixed costs of entry

3. Capacity constraints

# ...but data patterns don't quite fit any of them

- 1. Limited number of entry applications at the same time
  - Prioritize highest revenue, not highest price
  - Price inversely correlated with delays, controlling for revenue
- 2. Fixed costs of entry
  - Probability of entry should decline over time
- 3. Capacity constraints

# ...but data patterns don't quite fit any of them

- 1. Limited number of entry applications at the same time
  - Prioritize highest revenue, not highest price
  - Price inversely correlated with delays, controlling for revenue
- 2. Fixed costs of entry
  - Probability of entry should decline over time
  - Probability of entry is flat and increases closer to LOE
- 3. Capacity constraints
  - No more entry once firm hits full capacity

# ...but data patterns don't quite fit any of them

- 1. Limited number of entry applications at the same time
  - Prioritize highest revenue, not highest price
  - Price inversely correlated with delays, controlling for revenue
- 2. Fixed costs of entry
  - Probability of entry should decline over time
  - Probability of entry is flat and increases closer to LOE
- 3. Capacity constraints
  - No more entry once firm hits full capacity
  - ▶ > 10% of launches occur after the firm has reached peak output

## ERP as a deterrent to entry: theory

Price

At the end of each period countries adjust prices to match minimum available price.

Period 1: price  $p_j$ quantity  $q_j$ Period 2: price  $\min_{k \in (1,2)} (p_k)$ quantity  $q_j$ 

Quantity









At the end of each period countries adjust prices to match minimum available price.

Period 1: prices  $(p_1, p_2)$ quantities  $(q_1, q_2)$ Period 2: prices  $(p_2, p_2)$ 

quantities  $(q_1, q_2)$ 

Two possible strategies:

- 1. Wait until period 2 to launch in country 2
- 2. Launch everywhere right away



We estimate an extended version of this toy model

#### Model components

- 1. Demand
  - Data: quantity sold for each drug *i*, year *t*, country *j*
  - Goal: **predict quantity** in years prior to entry
- 2. Price
  - Data: average yearly drug prices, reference pricing functions
  - Goal: predict prices under alternative entry sequences
  - ▶ Parameter  $\mu_j \in [0, 1]$  allows partial adherence to ERP

We estimate an extended version of this toy model

#### Model components

- 1. Demand
  - Data: quantity sold for each drug *i*, year *t*, country *j*
  - Goal: **predict quantity** in years prior to entry
- 2. Price
  - Data: average yearly drug prices, reference pricing functions
  - Goal: predict prices under alternative entry sequences
  - ▶ Parameter  $\mu_j \in [0, 1]$  allows partial adherence to ERP
- 3. Firm dynamic entry decision model
  - Firms apply for entry, but may experience **stochastic** delays
  - ► Goal: link 1. & 2. to compute revenue of any entry sequence

# Stage I: Firm choose where to send entry applications



#### Strategic delays:

firm only sends applications to some countries

# Stage II: delay shocks are realized



# **Idiosyncratic delays:** some applications are randomly delayed

# Stage III: prices are set



## Stage IV: products are sold and profits realized



#### Estimation of the impact of ERP in three parts

#### What we need to estimate

- 1. Do countries actually follow ERP guidelines?
  - $\mu_i$  needs to be close to 1 for at least some countries

# Do countries actually follow ERP guidelines? Estimates of $\mu_i$



#### What we need to estimate

- 1. Do countries actually follow ERP guidelines?
  - $\mu_i$  needs to be close to 1 for at least some countries
  - Spain and Italy follow ERP, their prices are affected by EU10
- 2. Are firms better off with delays?
  - Firms should earn more if entry is delayed

#### Are firms better off with delays?

% of drugs for which delaying entry in country *X* only is optimal



#### What we need to estimate

- 1. Do countries actually follow ERP guidelines?
  - $\mu_i$  needs to be close to 1 for at least some countries
  - Spain and Italy follow ERP, their prices are affected by EU10
- 2. Are firms better off with delays?
  - Firms should earn more if entry is delayed
  - Most firms earn more when delaying entry in EU10
- 3. How much would delays fall if ERP were removed?
  - If we get rid of ERP, there should be faster entry

# How much would delays fall if ERP were removed?

**Empirical problem:** find  $\psi_i$  (prob. of random delay in country *j*)

- ► Ideally: solve model, match observed entry to predicted entry
- ► In practice: model is too complicated to solve

# How much would delays fall if ERP were removed?

**Empirical problem:** find  $\psi_j$  (prob. of random delay in country *j*)

- ► Ideally: solve model, match observed entry to predicted entry
- In practice: model is too complicated to solve

#### Solution: use moment inequalities

- Lower bound:
  - Lower  $\psi_i$  is better for the firm
  - w/ low  $\dot{\psi}_i$ , can find strategies that earn more than firm did
  - Find these strategies  $\rightarrow$  reject low values of  $\psi_i$

#### Upper bound:

► Worst case scenario: all delays are idiosyncratic

# How much would delays fall if ERP were removed?

**Empirical problem:** find  $\psi_j$  (prob. of random delay in country *j*)

- ► Ideally: solve model, match observed entry to predicted entry
- In practice: model is too complicated to solve

#### Solution: use moment inequalities

- Lower bound:
  - Lower  $\psi_i$  is better for the firm
  - w/ low  $\psi_j$ , can find strategies that earn more than firm did
  - Find these strategies  $\rightarrow$  reject low values of  $\psi_i$

#### Upper bound:

Worst case scenario: all delays are idiosyncratic

#### Output:

- Western Europe: assume away strategic delays
- ► Eastern Europe: estimate interval  $\psi_{EU10} \in [0.416, 0.669]$

#### How much would delays fall if ERP were removed? Simulated delays w/out ERP: only idiosyncratic delays remain



#### How much would delays fall if ERP were removed? Simulated delays w/out ERP: only idiosyncratic delays remain



#### What we need to estimate

- 1. Do countries actually follow ERP guidelines?
  - $\mu_i$  needs to be close to 1 for at least some countries
  - Spain and Italy follow ERP, their prices are affected by EU10
- 2. Are firms better off with delays?
  - Firms should earn more if entry is delayed
  - Most firms earn more when delaying entry in EU10
- 3. How much would delays fall if ERP were removed?
  - If we get rid of ERP, there should be faster entry
  - Up to 14.5 months earlier entry in EU10

# Conclusion: the bigger picture

#### Main takeaway:

A framework to formally uncover policy-driven entry delays

# Conclusion: the bigger picture

#### Main takeaway:

• A framework to formally uncover policy-driven entry delays

#### General implication: price-linked regulation causes spillovers

- Medicare/Medicaid reimbursement rules affect private prices
- Medicare Part B reform would introduce ERP to US
  - US prices are well above highest prices in Europe
  - ► US market is roughly 3x size of entire EU market

# Conclusion: the bigger picture

#### Main takeaway:

• A framework to formally uncover policy-driven entry delays

#### General implication: price-linked regulation causes spillovers

- Medicare/Medicaid reimbursement rules affect private prices
- Medicare Part B reform would introduce ERP to US
  - US prices are well above highest prices in Europe
  - ► US market is roughly 3x size of entire EU market

#### What we still don't know

- ► W/out ERP would prices rise in West. EU or fall in East. EU?
- ► Would ERP reduce US prices, or raise foreign prices?

# thank you