

## PRIVATE HEALTHCARE MARKET INVESTIGATION

### Notice of intention to approve arrangements for establishing an information organisation pursuant to article 23.1 of the Private Healthcare Market Investigation Order 2014

1. On 4 April 2012 the Office of Fair Trading made a reference to the Competition Commission (CC) under section 131 of the Enterprise Act 2002 (the Act) concerning the supply of privately-funded healthcare services in the UK.
2. On 2 April 2014 the successor body to the CC, the Competition and Markets Authority (CMA), published its report titled *Private Healthcare Market Investigation* (the report).
3. In the report, the CMA decided that:
  - (a) features of the markets for privately-funded healthcare services each (and, in certain circumstances, in combination) prevent, restrict or distort competition, and thereby have an adverse effect on competition (AEC); and
  - (b) the CMA should take action to remedy, mitigate or prevent the AECs and detrimental effects flowing from these features.
4. In particular, the CMA decided that the lack of publicly available information as to performance measures of private healthcare facilities, and performance measures and fees of consultants providing privately-funded healthcare services, was one of the features of the market that gives rise to an AEC.
5. On 1 October 2014 the CMA made the Private Healthcare Market Investigation Order 2014 (the Order).
6. Article 23.1 of the Order requires the CMA to approve arrangements for establishing an information organisation and its governance for the purposes of Part 4 of the Order which remedies the lack of publicly available information as to performance measures of private healthcare facilities and performance measures and fees of consultants providing privately-funded healthcare services.

7. The CMA now gives notice of its intention to commence discussions as regards approving the arrangements for establishing an information organisation, and the CMA invites written representations from any interested person or persons.
8. This notice has been published on the CMA website.
9. Written representations as regards the arrangements for establishing an information organisation should be made by email to [private-healthcare@cma.gsi.gov.uk](mailto:private-healthcare@cma.gsi.gov.uk) or in writing to:

Project Manager  
Private Healthcare Market Investigation  
Competition and Markets Authority  
Victoria House  
Southampton Row  
London  
WC1B 4AD

to reach the CMA by 15 October 2014.

*(signed)* ROGER WITCOMB  
*Group Chair*  
1 October 2014