

Confidential Prices in NICE Health Technology Assessment: How Common Are They?

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Background

The Commercial Liaison Team (CLT) at the National Institute for Health and Care Excellence (NICE) support pharmaceutical companies and NHS England with patient access schemes and pricing agreements for new interventions undergoing NICE appraisals. These interventions with confidential pricing arrangements subsequently become comparators or subsequent treatments in future NICE appraisals. This means NICE cannot publish the committee's decision-making incremental cost-effectiveness ratios (ICERs) or provide ICERs to the companies of new treatments entering the pathway. To assess how often this occurs, this study identified how many NICE Technology Appraisals (TAs) featured confidential prices.

What we did and why

Published NICE TA guidance from April 2024 to March 2025 was identified. Terminated appraisals were excluded.

Information was extracted from the identified guidance to assess if the following had a confidential price:

- Intervention treatment(s)
- Comparator treatment(s)
- Subsequent treatment(s).

The CLT compared these results to a similar study completed and presented at ISPOR Europe in 2022 to identify any changes to how common confidential prices are in NICE TAs.

Types of confidential commercial arrangements

Simple Patient Access Schemes (PAS)^{1,2}

- Fixed price or percentage discount on the list price that is applied at source across all indications for a technology.
- Always the preferred option as they require less monitoring and minimise administrative burden on NHS organisations.

Commercial Access Agreements (CAA)³

- Example formats for CAAs include budget caps, price and/or volume agreements, cost sharing arrangements, start/stop criteria, outcomes-based agreements and indication-specific pricing.

CAAs are at the discretion of NHS England and may be considered when:

- Specific circumstances mean launching a product is particularly challenging or commercially unviable
- The company proposes an enhanced value offer.

Outcomes and impact

Sixty-nine pieces of guidance were published between April 2024 and March 2025 (excluding terminations).

Sixty-seven appraisals (97.1%) had a confidential commercial arrangement price for either the intervention or elsewhere in the treatment pathway.

Only **two appraisals (2.9%)** did not include any confidential prices.

Sixty-one appraisals (88.4%) had a confidential price for the intervention.

Fifty-five appraisals (79.7%) had a confidential price for a non-intervention treatment in the pathway.

Table 1 compares these findings with those from CLT's 2022 study.

Table 1: Confidential commercial arrangements in technology appraisal guidance published in 2021/2022 and 2024/2025

	2021/2022		2024/2025	
	Percentage	Pieces of guidance	Percentage	Pieces of guidance
Guidance published (excluding terminations)	-	76	-	69
Confidential commercial arrangement anywhere in the treatment pathway	94.7%	72	97.1%	67
No confidential commercial arrangements for any treatments	5.3%	4	2.9%	2
Confidential commercial arrangement for the intervention only	26.3%	20	17.4%	12
Confidential commercial arrangement for non-intervention treatments only	3.9%	3	8.7%	6

What we learnt

Confidential prices are increasingly included in NICE appraisals which poses challenges for the transparency of NICE decisions and for companies understanding true cost-effectiveness.

NICE has taken steps to support companies by providing £10,000 ICER ranges including confidential comparator prices through the pre-appraisal committee meeting (pre-ACM) summary document.

Table 2: Example ICER ranges provided by CLT

ICER	ICER range provided by CLT
£32,000	£30,000-£40,000
£49,000	£40,000-£50,000

The ICER ranges give companies an idea of the impact of other confidential prices in the treatment pathway on its ICER without revealing the confidential prices of other treatments in the pathway.

References

1. Department of Health and Social Care (2024) The 2024 voluntary scheme for branded medicines pricing, access and growth
2. NICE (2022) NICE health technology evaluations: the manual
3. NHS England (2025) NHS commercial framework for new medicines

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